

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH,
OF THE
FIFTEENTH ANNUAL SESSION,
FOR THE YEARS 1865-66.

GREAT SALT LAKE CITY:
HENRY MCEWAN, PUBLIC PRINTER.
1866.

BY AUTHORITY,
FIVE HUNDRED COPIES ORDERED PRINTED.

NAMES OF THE MEMBERS AND OFFICERS
OF THE
LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH,
WITH THE
STANDING COMMITTEES.

—O—
FIFTEENTH ANNUAL SESSION, 1865-6.
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MEMBERS OF THE COUNCIL:

Great Salt Lake, Tooele, Summit and Green River Counties:

WILFORD WOODRUFF, ALBERT CARRINGTON,
GEORGE Q. CANNON, JOSEPH A. YOUNG.

Davis and Morgan Counties:

FRANKLIN D. RICHARDS.

Weber and Box Elder Counties:

LORENZO SNOW.

Cache and Richland Counties:

EZRA T. BENSON.

Utah and Wasatch Counties:

L. E. HARRINGTON, AARON JOHNSON.

Sanpete and Sevier Counties:

ORSON HYDE.

Millard and Juab Counties:

AMASA M. LYMAN.

Beaver, Iron and Piute Counties:

GEORGE A. SMITH.

Washington and Kane Counties:

ERASTUS SNOW.

OFFICERS OF THE COUNCIL:

President—GEORGE A. SMITH.

Secretary—PATRICK LYNCH.

Assistant-Secretary—SAMUEL PITCHFORTH.

Sergeant-at-Arms—JOHN SMITH.

Messenger—WILLIAM D. BROWN.

Foreman—JOSEPH BUSBY.

Chaplain—JOSEPH YOUNG, Sen.

STANDING COMMITTEES.

- o—
- On Judiciary.—ALBERT CARRINGTON, L. E. HARRINGTON
GEO. Q. CANNON.
- On Claims and Appropriations.—E. T. BENSON, W. WOOD-
RUFF, JOSEPH A. YOUNG, AMASA M. LYMAN.
- On Petitions and Memorials.—AMASA M. LYMAN, LORENZO
SNOW, AARON JOHNSON.
- On Revenue.—ORSON HYDE, AARON JOHNSON, JOSEPH
A. YOUNG, ERASTUS SNOW.
- On Elections.—E. T. BENSON, GEO. Q. CANNON, AARON
JOHNSON, ERASTUS SNOW.
- On Counties.—ORSON HYDE, E. SNOW, E. T. BENSON.
- On Roads, Bridges, Ferries and Kanyons.—LORENZO SNOW,
AMASA M. LYMAN, JOSEPH A. YOUNG, AARON
JOHNSON.
- On Engrossing.—F. D. RICHARDS, GEO. Q. CANNON,
ORSON HYDE, JOSEPH A. YOUNG.
- On Education.—LORENZO SNOW, ALBERT CARRINGTON,
GEO. Q. CANNON, JOSEPH A. YOUNG.
- On Printing.—GEO. Q. CANNON, L. E. HARRINGTON.
- On Agriculture, Trade and Manufactures.—W. WOODRUFF,
AMASA M. LYMAN, L. E. HARRINGTON, E. T. BENSON,
E. SNOW.
- On Militia.—F. D. RICHARDS, AARON JOHNSON, E. T.
BENSON, JOS. A. YOUNG.
- On Corporations.—ORSON HYDE, ALBERT CARRING-
TON, F. D. RICHARDS, AMASA M. LYMAN.
- On Library.—GEO. Q. CANNON, ORSON HYDE, AARON
JOHNSON.
- On Public Domain and School Lands.—ORSON HYDE, LO-
RENZO SNOW, L. E. HARRINGTON, AMASA M. LYMAN.
- On Penitentiary.—AARON JOHNSON, JOS. A. YOUNG,
F. D. RICHARDS.
- On Indian Affairs.—ORSON HYDE, F. D. RICHARDS, E.
T. BENSON, E. SNOW, A. CARRINGTON.
- On Irrigation and Canals.—L. E. HARRINGTON, E. SNOW,
JOS. A. YOUNG, W. WOODRUFF.
- On Postal Affairs.—F. D. RICHARDS, E. SNOW, E. T.
BENSON.

MEMBERS OF THE HOUSE.

Great Salt Lake County:

JOHN TAYLOR, ALBERT P. ROCKWOOD,
EDWIN D. WOOLLEY, JOHN VAN COTT,
WILLIAM JENNINGS, JOSEPH F. SMITH.

Utah County:

WILLIAM B. PACE, BEN. F. JOHNSON, DAVID EVANS.

Davis and Morgan Counties:

JOHN W. HESS, CHARLES S. PETERSON.

Weber County:

LORIN FARR, CHAUNCEY W. WEST.

Box Elder County:

JONATHAN C. WRIGHT.

Cache and Richland Counties:

CHARLES C. RICH, PETER MAUGHAN.

Tooele County:

JOHN ROWBERRY.

Juab County:

GEORGE KENDALL.

Sanpete and Sevier Counties:

WARREN S. SNOW, GEO. PEACOCK.

Millard County:

THOMAS CALLISTER.

Beaver and Piute Counties:

WILLIAM J. COX.

Iron County:

SILAS S. SMITH.

Kane and Washington Counties:

JACOB GATES.

Summit and Green River Counties:

WILLIAM W. CLUFF.

Wasatch County:

JOSEPH S. MURDOCK.

OFFICERS OF THE HOUSE:

Speaker—JOHN TAYLOR.

Chief Clerk—THOMAS BULLOCK.

Assistant Clerk—ROBERT L. CAMPBELL.

Sergeant-at-Arms—JOS. C. RICH.

Messenger—F. S. RICHARDS.

Foreman—G. W. SLADE.

Chaplain—W. W. PHELPS.

STANDING COMMITTEES.

- On Judiciary—LORIN FARR, JONATHAN C. WRIGHT, C. W. WEST, SILAS S. SMITH.
- On Claims and Appropriations—CHARLES C. RICH, LORIN FARR, EDWIN D. WOOLLEY, ALBERT P. ROCKWOOD.
- On Petitions and Memorials—JOHN VAN COTT, JACOB GATES, WILLIAM W. CLUFF, JONATHAN C. WRIGHT.
- On Revenue—BENJAMIN F. JOHNSON, PETER MAUGHAN, GEORGE KENDALL, JOHN W. HESS.
- On Elections—PETER MAUGHAN, CHARLES S. PETERSON, LORIN FARR, GEO. PEACOCK.
- On Counties—THOMAS CALLISTER, JOHN VAN COTT, SILAS S. SMITH, JOSEPH S. MURDOCK.
- On Roads, Bridges, Ferries and Kanyons—WARREN S. SNOW, ALBERT P. ROCKWOOD, CHARLES C. RICH, JOHN ROWBERRY.
- On Education—JOSEPH F. SMITH, EDWIN D. WOOLLEY, WILLIAM W. CLUFF, LORIN FARR.
- On Engrossing—WILLIAM W. CLUFF, JOSEPH F. SMITH, JOHN VAN COTT.
- On Printing—SILAS S. SMITH, WILLIAM JENNINGS, GEORGE KENDALL.
- On Agriculture, Trade and Manufactures—WILLIAM JENNINGS, ALBERT P. ROCKWOOD, PETER MAUGHAN, WARREN S. SNOW, THOMAS CALLISTER.
- On Militia—ALBERT P. ROCKWOOD, CHAUNCEY W. WEST, WILLIAM B. PACE, THOMAS CALLISTER.
- On Incorporations—JONATHAN C. WRIGHT, DAVID EVANS, WM. J. COX, JACOB GATES.
- On Library—JOHN W. HESS, CHARLES S. PETERSON, WM. B. PACE.
- On Public Domain and School Lands—JOHN ROWBERRY, CHARLES C. RICH, DAVID EVANS, WM. J. COX.
- On Penitentiary—EDWIN D. WOOLLEY, JOSEPH S. MURDOCK, WILLIAM JENNINGS, GEO. PEACOCK.
- On Indian Affairs—JACOB GATES, CHARLES C. RICH, JONATHAN C. WRIGHT, BENJAMIN F. JOHNSON.
- On Irrigation and Canals—CHAUNCEY W. WEST, JACOB GATES, DAVID EVANS, JOSEPH F. SMITH.
- On Postal Affairs—CHARLES C. RICH, E. D. WOOLLEY, JACOB GATES, GEO. PEACOCK.

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
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TERRITORY OF UTAH.

FIFTEENTH ANNUAL SESSION, 1865-6.

MONDAY, DECEMBER 11, 1865.

COUNCIL.

G. S. L. City, Monday, December 11th, 1865.

Agreeable to the joint resolution the members elect of the Council of the Legislative Assembly of the Territory of Utah, met in the Council Chamber in the State House, (commonly known as the Council House.)

Prayer by Joseph Young, Sen., Chaplain of last session.

On motion of Councilor Woodruff, Councilor Geo. A. Smith was elected President pro tem.

On motion of Councilor Richards, Patrick Lynch was elected Secretary pro tem.

William D. Brown was elected messenger pro tem.

Moved by Councilor L. Snow, that a Committee on Credentials be appointed, Councilors Cannon and Richards, were appointed said committee.

Councilor Cannon, of committee on credentials made the following report:—

The committee on credentials, respectfully report that the following named gentlemen are legally entitled to seats in the Council of the Legislative Assembly, of the Territory of Utah, at its session of 1865-1866,

GEORGE Q. CANNON,

Chairman of Committee.

Wilford Woodruff, Albert Carrington, George Q. Cannon, Joseph A. Young, from Great Salt Lake, Tooele, Summit and Green river counties.

Franklin D. Richards, from Davis and Morgan counties.

Lorenzo Snow, from Weber and Box Elder counties.

Ezra T. Benson, from Cache and Richland counties.

Leonard E. Harrington and Aaron Johnson, from Utah and Wasatch counties,

Orson Hyde, from Sanpete and Sevier counties.

Amasa M. Lyman, from Millard and Juab counties.

Geo. A. Smith, from Beaver, Iron and Piute counties.

Erastus Snow, from Washington and Kane counties.

On motion of Councilor Benson the report was accepted.

The roll was then called by the Secretary pro tem.

Quorum present.

The Messenger pro tem. was instructed to wait on the Hon. Secretary Reed to request him to qualify the members and officers of the Council.

Hon. Secretary Reed administered to the members elect who were present, the oath required by law of Congress.

The following officers were then elected by the members and took the oath of office, administered by the Hon. Secretary Reed.

GEO. A. SMITH, President.

PATRICK LYNCH, Secretary.

SAMUEL PITCHFORTH, Assistant Secretary.

JOHN SMITH, Sergeant-at-Arms.

WM. DANIEL BROWN, Messenger.

JOSEPH BUSBY, Foreman.

JOSEPH YOUNG, Sen., Chaplain.

The following was received from the House:

GENTLEMEN:—I have the pleasure to inform you that the House of Representatives of the Territory of Utah for the session of 1865-

1866 is now fully organized and ready to proceed to business, having elected the following officers, to wit:

JOHN TAYLOR, Speaker.
THOMAS BULLOCK, Chief Clerk.
ROBERT L. CAMPBELL, Assistant Clerk.
JOSEPH C. RICH, Sergeant-at-Arms.
FRANKLIN S. RICHARDS, Messenger.
GEO. W. SLADE, Foreman.
WILLIAM W. PHELPS, Chaplain.

Very respectfully,

JOHN TAYLOR, Speaker.

Moved by Councilor Carrington that a committee of two be appointed to act with a like committee from the House to wait on his Excellency the Governor, to notify him that the Assembly was now fully organized and ready to proceed to business.

The President nominated Councilors Richards and Benson said committee.

Moved by Councilor Young that the House be notified that the Council would meet with them in the Representative's Hall, at 2 o'clock p. m. to-morrow.

The following was received from the House:—

"The Hons. C. C. Rich and William Jennings are appointed a committee in behalf of the House to meet with a similar committee from the Council to wait upon his Excellency the Governor to notify him that the Assembly was ready to receive any communication he had to make.

The House will meet the Council in joint session to-morrow at 2 p. m. according to your request.

Very Respectfully,

JOHN TAYLOR, Speaker."

On motion of Councilor Carrington, Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' Hall, State House,
G. S. L. City, U. T., Monday, Dec. 11, 1865, 1 p.m. }

The members elect of the House of Representatives, of the Legislative Assembly of the Territory of Utah, convened in the State House, pursuant to law.

The House was called to order by Mr. Thomas Bullock, Chief Clerk of the former House.

On motion of Mr. Rich, Hon. John Taylor was elected Speaker pro tem.

On motion of Mr. Farr, Mr. Thomas Bullock was elected Clerk pro tem.

On motion of Mr. Snow, Robert L. Campbell was elected Assistant Clerk pro tem.

On motion of Mr. Farr, Joseph C. Rich was elected Sergeant-at-Arms pro tem.

Mr. Farr moved that the Speaker pro tem. appoint a committee of two, to examine the credentials, or other evidence of the members elect. Seconded and carried.

The Speaker pro tem. appointed Messrs. Rockwood and Maughan said committee.

Mr. Rockwood, of the committee on credentials, reported that the following named members elect, were legally entitled to seats in the House of Representatives of the Legislative Assembly of the Territory of Utah, during the session of 1865-6:

John Taylor, Albert P. Rockwood, Edwin D. Woolley, John Van Cott, William Jennings and Joseph F. Smith, from Great Salt Lake county.

William B. Pace and David Evans, from Utah county.

John W. Hess and Charles S. Peterson, from Davis and Morgan counties.

Lorin Farr, from Weber county.

Jonathan C. Wright, from Box Elder county.

Charles C. Rich and Peter Maughan, from Cache and Richland counties.

George Kendall, from Juab county.

Warren S. Snow, from Sanpete and Sevier counties.

William J. Cox, from Beaver and Piute counties.

Silas S. Smith, from Iron county.

William W. Cluff, from Summit and Green River counties.

Joseph S. Murdock, from Wasatch county.

Mr. Rockwood moved, that the report of the committee be accepted and that the members elect, present, be qualified. Seconded and carried.

The roll being called, quorum present.

The Hon. Secretary Amos Reed, then administered the oath of office to all the members present.

On motion of Mr. Rich, the House proceeded to a permanent organization, by electing the following officers:

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Chief-Clerk.

ROBERT L. CAMPBELL, Assistant-Clerk.

JOSEPH C. RICH, Sergeant-at-Arms.

FRANKLIN S. RICHARDS, Messenger.

GEORGE W. SLADE, Foreman.

WILLIAM W. PHELPS, Chaplain.

The Speaker, Chief Clerk, Assistant Clerk, Sergeant-at-Arms, Messenger, Foreman and Chaplain being present, were also qualified by Hon. Amos Reed.

Prayer by the Chaplain.

On motion of Mr. Rockwood, the Council were notified of the organization of the House, and their readiness to proceed to business.

The following was received from the Council and read:

"COUNCIL CHAMBER, G. S. L. City,
December 11, 1865.

THE HON. JOHN TAYLOR, SPEAKER OF
THE HOUSE OF REPRESENTATIVES:

The Council is now fully organized, by electing the following officers:

GEORGE A. SMITH, President.

PATRICK LYNCH, Secretary.

SAML. PITCHFORTH, Assistant Secretary.

JOHN SMITH, Sergeant-at-Arms.

WM. DANIEL BROWN, Messenger.

JOSEPH BUSBY, Foreman.

JOSEPH YOUNG, senior, Chaplain.

Very Respectfully,

Geo. A. Smith, President of the Council."

Mr. Farr moved, that there be a committee appointed to join a similar committee from the Council, to notify His Excellency the Governor that both Houses are now organized and are prepared to receive

any communication he may see proper to make. Seconded and carried.

The following was received and read:

"COUNCIL CHAMBER, G. S. L. City,
December 11, 1865. }

THE HON. JOHN TAYLOR, SPEAKER, ETC.

GENTLEMEN:—The Council would respectfully notify the House that they will be prepared to meet with your honorable body, in the Representatives' Hall, to-morrow at two o'clock p.m., in Joint Session, to receive any communication His Excellency the Governor may have to communicate.

Very Respectfully,

GEO. A. SMITH, President of the Council."

On motion of Mr. Rockwood, the House concurred with the Council in their request for Joint Session to-morrow at two p.m., and the Council were notified accordingly.

The following was received and read:

"COUNCIL CHAMBER, G. S. L. City,
December 11, 1865. }

THE HON. JOHN TAYLOR, SPEAKER, ETC.

GENTLEMEN:—Councilors Richards and Benson have been appointed a committee from the Council, to act with a like committee from the House, to wait on His Excellency the Governor, to notify him that the Assembly will be ready to receive any communication he may have to make, in Joint Session, to-morrow at 2 p.m.

Very Respectfully,

GEO. A. SMITH, President of the Council."

The minutes were called for, read and accepted.

On motion of Mr. Rockwood, the House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

TUESDAY, DECEMBER, 12, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, — }
Tuesday, December, 12th, 1865, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The Assembly went into joint session.

[See Joint Session Minutes.]

On dissolution of the Joint Session the Council resumed its session. Councilor Harrington moved that the Hon. Secretary Reed be requested to furnish each member and officer of the Council with a copy of the Weekly and Semi-Weekly DESERET NEWS, also the Daily and Semi-Weekly Telegraph. Seconded and carried.

The following Standing Committees were appointed by the President:

ON JUDICIARY—Albert Carrington, L. E. Harrington, Geo. Q. Cannon.

ON CLAIMS AND APPROPRIATIONS—E. T. Benson, W. Woodruff, Joseph A. Young, Amasa M. Lyman.

ON PETITIONS AND MEMORIALS—Amasa M. Lyman, Lorenzo Snow, Aaron Johnson.

ON REVENUE—Orson Hyde, Aaron Johnson, Joseph A. Young, Erastus Snow.

ON ELECTIONS—E. T. Benson, Geo. Q. Cannon, Aaron Johnson, Erastus Snow.

ON COUNTIES—Orson Hyde, E. Snow, E. T. Benson.

ON ROADS, BRIDGES, FERRIES AND KANYONS—Lorenzo Snow, Amasa M. Lyman, Joseph A. Young, Aaron Johnson.

ON ENGROSSING—F. D. Richards, Geo. Q. Cannon, Orson Hyde, Joseph A. Young.

ON EDUCATION—Lorenzo Snow, Albert Carrington, Geo. Q. Cannon, Joseph A. Young.

ON PRINTING—Geo. Q. Cannon, L. E. Harrington.

ON TRADE AND MANUFACTURES—W. Woodruff, Amasa M. Lyman, L. E. Harrington, E. T. Benson, E. Snow.

ON MILITIA—F. D. Richards, Aaron Johnson, E. T. Benson, Joseph A. Young.

ON CORPORATIONS—Orson Hyde, Albert Carrington, F. D. Richards, Amasa M. Lyman.

ON LIBRARY—Geo. Q. Cannon, Orson Hyde, Aaron Johnson.

ON PUBLIC DOMAIN AND SCHOOL LANDS—Orson Hyde, Lorenzo Snow, L. E. Harrington, Amasa M. Lyman.

ON PENITENTIARY—Aaron Johnson, Joseph A. Young, F. D. Richards.

ON INDIAN AFFAIRS—Orson Hyde, F. D. Richards, E. T. Benson, E. Snow, A. Carrington.

ON IRRIGATION AND CANALS—L. E. Harrington, E. Snow: Joseph A. Young, W. Woodruff.

ON POSTAL AFFAIRS—Franklin D. Richards, Erastus Snow, E. T. Benson.

In view of the sudden and unexpected demise of our late Governor James Duane Doty, touching allusion to which has been made in the Message of His Excellency Charles Durkee, I motion that out of respect to his memory, this Council adjourn till 1 p. m. to-morrow.

L. E. HARRINGTON.

Seconded and carried.

Benediction by the Chaplain.

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JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 12, 1865, 2 p. m. }

According to previous agreement the Assembly went into Joint Session.

The President of the Council presiding.

The Roll of the Council was called by the Secretary of the Council. Quorum present.

The roll of the House was called by the Chief Clerk of the House. Quorum present.

Prayer by the Chaplain of the House.

The President declared the Joint Session open and ready to proceed to business.

On motion of Councilor Woodruff, Henry McEwan, Esq., was elected Public Printer.

His Excellency Governor Durkee having arrived, presented his Annual Message with accompanying documents, which, by order of the President, were read by the Chief Clerk of the House.

—o—

GOVERNOR'S MESSAGE.

EXECUTIVE OFFICE, U. T., }
G. S. L. City, Dec. 11, 1865. }

Gentlemen of the Legislative Assembly:

As the Executive of this Territory it becomes at this time, my duty to suggest to you such public measures as in my opinion

should claim your consideration at the present session of the Legislature.

Before doing so, however, permit me to congratulate you and the people upon the comparatively peaceful condition of the Republic.

The year which has elapsed since the last session of your body, is the most brilliant in our national annals. A great and deadly conspiracy against the nation's life, has been crushed. It has been demonstrated that the Republic contains within itself the elements necessary to its preservation. The evil cause of the conspiracy has been utterly done away.

The dignity of labor has been nobly vindicated. The manhood, the humanity of four millions of human beings has been demonstrated and acknowledged. The Government by a most solemn obligation taken in the day of our extremest peril, has bound itself to recognize and maintain their freedom.

And with the accomplishment of the patriotic purpose which called it into being, our mighty army, the hereditary terror of a free republic; the frequent means under ambitious leaders of subverting the liberties of the people, has peacefully dispersed, has been absorbed in the industrious and producing classes of our citizens.

These results have been attained too, without pecuniary assistance from other nations. The abundance of our domestic wealth has sufficed for all our wants; our national credit is unimpaired, — is even strengthened by the magnitude of our sacrifices.

These great achievements are not attributable to the efforts of man alone; to the wisdom of our statesmen, or to the military genius of our commanders. Our hopes for the future of the Republic are brightened and strengthened by the conviction that the Benificent Father of all in the hour of our peril has vouchsafed to us His gracious aid; that the God of Nations has guided our counselors; that the God of Battles has given to our chieftains in the field, the assistance of His strong arm. We may confidently hope that in the future, there are for us only the more gratifying victories of peace; conquests in the department of agriculture and commerce, of science and the arts.

DEATH OF GOVERNOR DOTY.

Since your last session, one who was accustomed to advise with you in matters of legislation, has, by a mysterious Providence been removed from his chosen field of labor. On the 13th day of June last, Governor James Duane Doty departed this life. Inasmuch as he was the Executive of this Territory at the time of his death, it is proper and becoming that I should upon this occasion express my sympathy with his family and the people in view of this solemn event.

From a long and intimate acquaintance with the deceased, it gives me pleasure to bear testimony to his superior abilities as a statesman, and to his many virtues as a citizen.

Governor Doty had for a long period, enjoyed the esteem and

confidence of his fellow citizens. They had given him prominent positions, both in the State and National Councils, where his services proved creditable to himself, advantageous to his constituents and useful to his country. He was greatly attached to frontier life. He was a pioneer in the settlements of Michigan and Wisconsin, and his predilection was exemplified in a request that his remains should repose in Utah, his recently adopted home.

TERRITORIAL FINANCES.

The annual reports of the Treasurer and Auditor are herewith submitted for your consideration.

By them it appears that the finances of the Territory are in a highly satisfactory condition, all claims upon the Treasury having been promptly met, and there still remaining in the hands of the Treasurer the sum forty-one thousand, eight hundred and fifty-five dollars and twenty-four cents.

TERRITORIAL MILITIA.

Isolated as are the people of this Territory, surrounded by Indian tribes, now happily at peace, but liable on slight provocation to become hostile, a thorough organization of the militia, is in the highest degree important.

By the act organizing the Territory, it is provided that the Governor shall be the commander-in-chief of the militia of the Territory. This is substantially the same provision incorporated in the constitution of each of the different States.

It is not designed to provide thereby, that the Governor shall take actual command of the militia in times of war, or shall personally superintend their organization and discipline in times of peace. As evidenced by the legislation in the different States, the proper construction of the provision is, that a staff, comprising an Adjutant-General and such other officers as are necessary be provided for the Executive; that reports by all the proper subordinate officers as to the organization, members, discipline and equipment of the militia be made to the Executive through his Adjutant-General, and that all such reports be preserved on the files of the Executive Office.

An examination of the Territorial laws now in force in this Territory relative to the organization of the militia has satisfied me, that such laws are insufficient to comply with the requirements of the organic act. No staff is provided for the Executive, nor are reports upon the points above indicated made to him for his information and guidance, and for preservation among the records of his office.

I would respectfully recommend such further legislation as shall be necessary to conform the Territorial militia law, to the requirements of the organic act. Upon this being done and the proper statistics on file in the Executive Office, such certificates would form a foundation of a report by the Executive to the Secretary of War, upon the receipt of which he would be em-

powered to deposit in the Territory for the use of the militia, such arms as were needed for their equipment and organization. By this means the efficiency of the militia would be greatly promoted.

It may be proper for me to state in this connection, that I have had the pleasure of being present at a review of the militia of Great Salt Lake county, and that I was much pleased with the evident care which had been bestowed on their training and equipment.

COMMON SCHOOLS.

The proper education of the people lies at the foundation of our republican institutions, and is the surest guaranty of their perpetuity. To give to every child within its jurisdiction a suitable education, is the foremost duty of the State. Experience has demonstrated that parents and guardians cannot in all cases be safely charged with the execution of this important trust. Themselves often times illiterate, they are not aware of the priceless value, to their children of an education.

Their poverty also, is frequently an almost insuperable obstacle. It is my settled conviction, that the property of a State or Territory should be taxed to defray all expenses of the education of its children.

The common schools should be entirely free to all.

I am, however, free to admit, that the time has not yet arrived, when this system can be inaugurated to advantage in this Territory.

The public lands, generously donated by Congress to the Territory for the benefit of common schools, cannot yet be brought into market.

The fact that the legal title to all real estate in the Territory is yet in the general government and such real estate not subject to taxation, causes the burden of taxation to fall unequally upon the people.

A SCHOOL FUND.

Even now, however, something can be done. A commencement of a school fund can be made. All fines, imposed by the courts for a violation of Territorial laws, or city ordinances should be set apart for this purpose. I would suggest the passage of a law requiring each of the judges and justices of the peace having jurisdiction in such cases to make to the Territorial Treasurer, a quarterly report of all fines by them imposed and collected, and to pay over to such Treasurer all money so collected.

The fund so formed should be securely invested, and the annual interest distributed to aid in defraying the expenses of common schools. I would also suggest that Congress be memorialized to perfect the surveys of the public lands within the Territory, to the end that the school and university lands be located and leased until the same can be put into market,

and the income thus collected should be distributed in the same manner.

I would also suggest that Congress be memorialized to devote the proceeds of the sale of all town sites in the Territory to the school fund. In view of the fact that the donations of land by Congress to this Territory for school purposes, owing to the sterile and mountainous character of a great portion of the surface of the Territory, are much less in value than similar donations to other Territories, such additional bounty would seem but just.

From the probable prices at which lots will be sold, I judge that nearly if not quite half a million of dollars, would be realized in this manner, a most valuable addition to the school fund of the Territory and future State.

I should be most happy to unite with you in the presentation of such a memorial and from its intrinsic justice, should anticipate for it a favorable consideration.

TAXATION FOR SCHOOL PURPOSES.

The law passed at the last session of the Legislature, relative to common schools gives to the people of each school district, the power to levy a tax of not more than two per cent. to aid in defraying the expenses of common schools. I cannot however resist the conviction, that such law will be of but small practical utility. It is not imperative—it will not be acted upon in those districts where the people are poor, or possessed of little public spirit; the localities where the greatest necessity exists for the fostering care of the Legislature. Such taxation should be imperative and upon a basis sufficiently broad to exclude the influence of purely local interests and prejudices.

A law which should provide for an annual Territorial or county tax, to the amount of one or two dollars for each child, between the ages of four and eighteen years in the Territory, as shown by the returns of the School Superintendent; the proceeds of such tax to be distributed to each school district, in proportion to the number of the scholars therein, upon condition that a proper school be supported in the district for such portion of the year as the Legislature should prescribe, would in my opinion, be eminently wise and judicious; and is perhaps as far as the people of the Territory would be inclined to go, in the matter of free schools until the further action of Congress, relative to the public lands.

No interest which will be before you at your present session is more worthy than this, of your watchful care, and I submit the matter to your consideration, confident that it will receive from you, the attention its importance demands.

THE PUBLIC LANDS.

I have already adverted to the desirableness of an early survey and sale of the public lands.

From the most reliable information within my reach, I judge that the surveys already made by the General Government are so imperfect as to be practically, almost valueless. It would be highly advantageous to the inhabitants of our towns and villages to procure a valid title to their lands. Our farmers should be allowed to avail themselves of the liberal provisions of the homestead law.

A much more substantial character would thereby be given to the commercial and business transactions within the Territory.

Squatter titles, though usually protected by custom and public opinion, are yet subject to be set aside in many contingencies and are at best suited only to the period of the earliest settlement of a country; not to the condition of a Territory so far advanced in agriculture and national wealth as this.

I would therefore suggest that Congress be memorialized for a sufficient appropriation to either defray the expenses of a new survey, or of the correction and perfection of the surveys already made, as shall be found necessary and for such other legislation as shall be required to speedily prepare the public lands for market, and that the President be memorialized to proclaim such public lands subject to entry and sale, at the earliest practicable moment. I should anticipate for such memorial at the present time an especially favorable consideration from the fact that our present Chief Magistrate was more instrumental than any other person in procuring the passage of the Homestead law, and is desirous that all actual settlers be allowed as speedily as possible, to avail themselves of its beneficent provisions.

CITY AND TOWN SITES.

Should the memorial last referred to receive a favorable consideration, the period of two years or thereabouts would probably be necessary to perfect such survey and bring the lands into market.

Laws however are already enacted by which title to such real estate as is embraced in city and town sites, can be much more speedily obtained.

By chapter 205 of the general laws of the United States for 1864, as amended by chapter 107 of the laws of 1865, it is provided that the claimants of lands embraced within any town or city site, may procure to be made an accurate survey and plot of such site, copies of which survey and plot must be filed in the offices of the County Recorder, the register and receiver of the land district in which such site is located and in the General Land Office, accompanied by certain statements under oath.

At once upon such filing, the President is authorized to cause the lots within the limits of such city to be offered at public sale to the highest bidder, at a not less price than ten dollars for

each lot. Prior to such sale, each actual settler can prove up and purchase the premises occupied by him, as a preemption subject to such minimum price.

I would urge upon you the importance of an immediate compliance with the provisions of this law, especially in reference to this city. A new survey should be made of all such lots as have been subdivided since the original survey and plot of the city, and from this and such original survey, a new plot should be made, in which each new subdivision should be separately numbered. In this manner each proprietor would receive a title to his lot, however small, directly from the Government. It is further provided by the law to which I have alluded, that in case the claimants to lands within the limits of any city, shall not, within one year from its establishment, make and file such plots, the Secretary of the Interior shall cause such survey and plot to be made at the expense of the Government, and the lands shall thereupon be sold in the same manner. In such case, however, the law is imperative, that fifty per cent shall be added to the minimum price of each lot.

This increased price which would thus be fixed upon your property would exceed many hundred times the expense of such survey and plot by your own surveyor.

The year within which your survey and plot should have properly been made and filed has already elapsed; but inasmuch as the Secretary of the Interior has not yet taken action in the matter, an immediate compliance with the law, on your part, will yet be in time.

For like reasons, it would be desirable that, at an early day, similar plots be made and filed of each of the other city and town sites within the Territory.

PUBLIC HIGHWAYS.

The expense of the transportation to this Territory of all articles here consumed which are not produced within our own borders, is a most burdensome tax, both upon the General Government and upon our people. An expenditure of half a million dollars, in bridging the numerous small streams between Great Salt Lake City and the Missouri river, and in otherwise improving that great national thoroughfare, would result in saving many times that amount each year to the Government and to the people of this and the adjoining Territories.

Small steamboats have recently been placed upon the Colorado, for the purpose of transporting freight to Callville, the head of navigation upon that river. I am informed that the sum of fifty thousand dollars, or thereabouts, judiciously expended, would be sufficient to construct a wagon road from the southern portion of our Territory to Callville. This would reduce the land carriage of freight from the ports of the Atlantic and Pacific States to Great Salt Lake City, below six hundred miles, and certain classes of freight could doubtless be transported in that manner much more economically than by the present route.

Such road would also open for settlement an extensive tract of territory, now but little known, but supposed to abound in mineral wealth and valuable agricultural lands.

For these reasons I would suggest that Congress be memorialized to appropriate the sum of five hundred thousand dollars for the improvement of the road from the Missouri river, and for the further sum of fifty thousand for the building of the road to Colorado. I have reason to believe that similar memorials relative to the road first above named, will be presented to Congress by the Legislatures of all the adjoining Territories.

MINERAL RESOURCES.

Within the past year, numerous mines of coal, lead and the precious metals have been discovered in various parts of the Territory. The present indications are, that many of these mines are of surpassing richness, and that their discovery has but just commenced. These mines are of great worth to the people of this Territory, both from their intrinsic value, and from the excellent home market, their development and working will afford for our surplus agricultural productions, which have been, and will doubtless continue to be, the principal sources of our wealth and prosperity.

For these reasons any measures you may be able to adopt, to promote the development of our mineral resources will be most beneficial to our people.

The establishment of a minerological cabinet in this city, under the charge of some suitable person, whose duty it should be, to solicit contributions of specimens, not only of the minerals above named, but also of salt, iron, sulphur, alum, saltpetre, and any other minerals of value discovered in any part of the Territory, would be attended with but little expense, and would be highly advantageous.

A suitable person acting thus under the auspices of the Legislature, could, in a few years form a collection of great and permanent value.

Could a thorough geological survey of the Territory be made it would doubtless result in the discovery of numerous new deposits of coal, iron, and the precious metals.

Persons desirous of engaging in coal or other mining enterprises could proceed much more intelligently in the light of such a survey, which should determine with scientific accuracy the proper localities for the expenditure of capital and labor.

In view of the great desirableness to our own people of such information, especially in reference to deposits of coal, the want of which in convenient localities, is one of the greatest hindrances to our prosperity, I would recommend that Congress be memorialized to cause a full and careful geological survey of the Territory to be made.

THE TERRITORIAL LIBRARY.

At the time of the organization of the Territory, the sum of five

thousand dollars was appropriated for the purchase of a Library. From the number and character of the books purchased, I should judge that the original appropriation was expended somewhat injudiciously. There is a great deficiency of standard works of reference for the use of the Judges and members of the Legislature.

In view of this deficiency in works, almost indispensable, I would recommend that Congress be memorialized to appropriate the sum of three thousand dollars for the purchase of additional books; such appropriation to be expended under the direction of our Delegate in Congress and a committee to be appointed by the Legislature.

BOUNDARY.

A question has arisen between the authorities of Oneida County, Idaho, and those of Cache County, in this Territory, relative to the location of the boundary line between the two Territories.

Certain settlements, heretofore supposed to be in Utah, are now claimed to be within the Territorial limits of Idaho. For the purpose of settling this question, I would recommend that the Surveyor-General of the Territory, or some other suitable person, be appointed a Commissioner, to meet with a similar Commissioner to be appointed on the part of the Territory of Idaho, and to survey that portion of the boundary line passing through, or near the territory in dispute.

IRRIGATION.

My attention has been called to the fact that no general law upon the subject of irrigation has yet been enacted. The subject, in view of the many rights, legal and equitable therein involved, is one of great importance, and will, with the increasing population of the Territory, require careful legislation.

I am not sufficiently familiar with the subject to feel competent to make suggestions as to the details of the laws necessary to be made. In fact, laws sufficient for all emergencies cannot be enforced until the titles to real estate are perfected, and the power to levy and collect taxes upon the same thereby acquired.

Inasmuch, however, as the preparation of proper general laws upon this subject to a work requiring much thought and labor, should no legislation in reference thereto be had at your present session, it would be advisable to appoint a committee with instructions to prepare bills upon the subject and to report the same for your consideration at the next session of the Legislature.

TURNPIKE ROADS.

Turnpike, toll bridge, or ferry companies, for the improvement of highways, in the charters of which, exclusive privileges are granted to companies or individuals, should be incorporated as rarely as possible. Wherever the settlement of the country will justify the expense, such roads, bridges or ferries, should be constructed by local taxation, assisted, in proper cases, by appropriations from the Territorial Treasury, and the highways made

freedom to the traveling public. And in cases where, by reason of the sparseness of population or the great difficulties to be surmounted in the opening of highways, a different rule is adopted, the rights of the public should be carefully guarded. Provision should be made for the lowest rates of toll and the briefest enjoyment of the franchise, consistent with the proper remuneration of the parties engaging in the enterprise.

The road from this city, through Parley's kanyon to the Weber river, appears to me to be a proper locality for the construction of a toll road. A good road is especially desirable, on account of our supplies of coal being brought over that route. The construction of such a road would be attended with no inconsiderable expense. The settlements upon the Weber are small, and from the fact that a large proportion of the travel upon the road is by freighters, immigrants, miners, and others not residents of the Territory, it would not be the most appropriate locality for expenditure by the Territorial Government.

I would, therefore, suggest to you the propriety of adopting a joint resolution, authorizing the Governor, or some other Territorial officer to receive bids from responsible parties for the construction of a good turnpike road upon this route, upon condition of receiving a charter from the Legislature for the term of ten years; such bids to be accompanied by sufficient guarantees to maintain the road in good order during that time, and specifying the lowest rates of toll which would be accepted.

Should such resolution be speedily adopted, bids might be received and the charter awarded during the present session of the Legislature, and the public thus enjoy the benefits of the improved highway during a portion, at least, of the coming year.

NEW POSTAL ROUTES.

In regard to increased mail facilities, your more correct information will enable you to suggest to Congress and the Postmaster-General such measures as the wants and welfare of the Territory seem to demand.

CHARLES DURKEE.

AUDITOR'S REPORT.

TO HIS EXCELLENCY, CHARLES DURKEE,
GOVERNOR OF UTAH TERRITORY:

SIR:—Although I have purposely delayed this report two weeks beyond the time when it should have been presented, I regret to say it is still imperfect, for the reason that the County Clerks of six counties have not yet forwarded a report of assessment for the current year. The amount of tax due the Territorial Treasury from

those six counties is therefore only estimated, as will be observed below. I understand this failure to report by the county clerks, arises through new clerks having been appointed, who evidently, have not acquainted themselves with all the duties required of them.

The assessment of property throughout the Territory and amount of Territorial tax arising from same, including estimates for the six counties not yet heard from is as follows:

Great Salt Lake	(reported)	\$3,810,014 00	\$19,050 07
Utah	(reported)	1,410,260 00	7,051 30
Cache	(reported)	764,460 00	3,822 30
Weber	(reported)	555,894 00	2,779 47
Davis	(reported)	508,410 00	2,542 05
Washington	(estimated)	280,000 00	1,400 00
Tooele	(estimated)	280,000 00	1,400 00
Box Elder	(reported)	277,414 00	1,387 07
Sanpete	(estimated)	260,000 00	1,300 00
Juab	(reported)	222,446 00	1,112 23
Millard	(reported)	189,988 00	949 94
Summit	(estimated)	160,000 00	800 00
Iron	(reported)	145,132 00	725 66
Wasatch	(estimated)	120,000 00	600 00
Richland	(reported)	117,874 00	589 37
Beaver	(reported)	107,124 00	535 62
Kane	(reported)	76,412 00	382 06
Sevier	(reported)	72,716 00	363 58
Morgan	(estimated)	60,000 00	300 00
Piute	(reported)	35,786 00	178 93
Total		\$9,453,930 00	\$47,269 65

There has been issued during the year ending October 31st, 1865, AUDITOR'S WARRANTS on the Treasury amounting in the aggregate to thirty-four thousand one hundred and eighty-six dollars and thirty seven cents. The purposes for which said warrants have been issued will appear by the following statement:

Penitentiary:

Balance due James A. Little as per report for 1864	4 12	
Balance due A. P. Rockwood, Warden	99 72	
Special appropriation to Warden December 1864	392 81	
Appropriated to pay George Handley January 20th, 1865	134 53	
Appropriated to re-imburse for labor and materials	426 63	
Appropriated for supplies, guard hire &c.	3000 00	
Appropriated for Warden's services	1200 00	
Issued by order of Directors in excess of appropriations	2000 00	
		7257 81

Roads and Bridges:

Appropriation on account of Provo Canyon road	3166 27	
Appropriation to improve road round point of mountain, Great Salt Lake county	\$1000	
To assist in completing the same	1000	
	2000 00	
Appropriation to make road in Silver Creek Canyon	504 83	
Appropriation on account State Road, G. S. L. County	4237 99	
Appropriation on account of Jordan Bridge & State road	\$1000	
Issued in excess, on account of same, order Road Commissioner	\$16 06	
	1016 06	
Appropriation 1864, for bridge across Jordan, near Gardener's (balance)	300 00	
Appropriation 1865 for bridge or ford across slough spring	300 00	
Appropriation 1864, on account new bridge across Ogden river (balance)	400 00	
		11,895 15

Brought forward	11,895 15	
Appropriation 1864, on account turning Weber river to save abutments	500 00	
Appropriation 1865, to assist in completing bridge across Ogden river	500 00	
Appropriation 1865, to purchase lower Weber bridge, of Levi Wheeler	2000 00	
Appropriation 1865, an account Ogden and Bear Lake road	1250 00	
Appropriation 1865, on account repairs on Sevier bridge	556 00	
Appropriation 1864, balance due on account Harmony and St George road	500 00	
Appropriation 1865, to improve roads in Washington county	2929 25	
Appropriation 1865, to improve Toquerville and Grafton road	1000 00	
Appropriation 1864, balance due on account Provo Kanyon road	497 31	
	<hr/>	21,657 71

Deseret Agricultural & Manufacturing Society:

Appropriation 1864, balance due as per report 1864	\$42 10	
Appropriation 1865, on account managing agricultural fund	756 00	
	<hr/>	798 10

Adjutant-General's Office:

Appropriation 1864, arrears due as per report 1864	350 00	
Appropriation 1865, for services of Adjutant-General	300 00	
	<hr/>	650 00

Superintendent Common Schools:

Appropriation 1865, for services as Superintendent, 1864	200 00	
Appropriation 1865, to furnish records for counties	100 00	
Appropriation 1865, for stationary for	<hr/>	300 00

Brought forward	300 00	
Superintendent's Office	50 00	
	<hr/>	350 00

Attorney General:

Special appropriation, Jan. 20, 1865, for services	200 00	
On account services for the year 1865	50 00	
	<hr/>	250 00

Territorial Marshal:

Appropriation for services Jan. 20, 1865		347 20
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Road Commissioner:

Appropriation for services Jan. 20, 1865		415 00
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Supt. Meteorological Observations:

On account of salary for 1865 and arrears		200 40
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Public Printing:

To "Deseret News" office, balance as per report 1864		71 40
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Surveyor General:

Appropriation Jan. 20, 1865, for ser- vices 1864	68 00	
Balance due on account Secretary, per report 1864	100 00	
Additional appropriation for Secretary, January 20, 1865	100 00	
Amount paid in excess to cover bill for Secretary	40 40	
	<hr/>	308 40

Treasurer's Office:

On account salary due as per former report	400 00	
On account salary for the year 1865	400 00	
Appropriation for stationary January		
	<hr/>	800 00

	Brought forward	800 00	
20, 1865		91 50	
		<hr/>	891 50
Auditor's Office:			
On account salary for the year 1865		400 00	
On account stationary bill for current year		75 00	
		<hr/>	475 00
Incidental Expences:			
Aurelius Miner, for services in U. S. District Court, 1863		100 00	
Patrick Lynch for services in U. S. Court		112 00	
W. F. Anderson for medical attendance on R. R. Hopkins		150 00	
W. F. Anderson for medical attendance on convicts		35 00	
Geo. J. Taylor for services as engross-in clerk		39 00	
James Mair for services as engrossing clerk		39 00	
R. V. Morris for services as clerk to committee on irrigation		18 00	
Thomas Bullock for balance due as per report, 1864		20 85	
		<hr/>	513 85
	Total		\$34,186 37
To which add Auditor's Warrants in circulation per last report. (1864)			4,391 01.
			<hr/>
Total Warrants in circulation during the year			38,577 38
Of this sum there has been redeemed at the Treasury			38,405 85
			<hr/>
Leaving an outstanding balance at this date, of			\$171 53

The following sums heretofore appropriated by the Legislative Assembly have not yet been called for. The several amounts therefore stand to the credit of their respective accounts on the Auditor's books, and represent a present liability subject to the orders of whom it may concern, of twenty thousand, eight hundred and ninety-six dollars and twenty-six cents.

Roads and Bridges:

Balance due on account of improvements	
on State road, G. S. L. county	4523 51
To complete road between Ogden and Bear Lake	2750 00
To assist in building bridge across Provo river	2000 00
To locate road between Washington and Pinte counties	2000 00
To make road in lower Weber Canyon	1500 00
To work road between Spanish Fork and Thistle Creek Canyon	1000 00
To assist in building bridge across Hobble creek	1000 00
To improve road from Box Elder Canyon to Wellsville	600 00
To repair road north of Brigham City, Box Elder county	500 00
To open road from Ogden Valley to Paradise	500 00
To assist in building bridge across Sanpitch river	500 00
To make road through Mud Lake Millard county	500 00
To improve road in Wildcat Canyon, Beaver county	500 00
To improve road between Circleville and Little Salt Lake Valley	500 00
To pay for repairs on Sevier bridge, Juab county	444 00
To repair road in Salt Creek Canyon	250 00
Balance due for improving roads in Washington county	70 75
	<hr/>

19,138 26

Deseret Agricultural and Manufacturing Society.

Balance due on management of Agricultural fund	744 00
For report on litigation	1000 00
	<hr/> 1744 00
Incidental Expenses:	
Balance of amount appropriated to be expended by Auditor	14 00
	<hr/> 14 00

\$20,896 26

Respectfully,

WM. CLAYTON,

Auditor of Public Accounts for Utah Territory.

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TREASURER'S REPORT.

TREASURER'S OFFICE,

Great Salt Lake City, Nov. 16th, 1865. }

To HIS EXCELLENCY, CHARLES DURKEE,

GOVERNOR OF UTAH TERRITORY:

SIR:—I take pleasure in presenting the following report of Receipts and Disbursements of the Treasury for the fiscal year ending October 31st, 1865.

Balance in the Treasury, Nov. 1st, 1864, as per my last annual report, \$35,039 36

Total amount of Receipts from Nov. 1st, 1864, to October 31st, 1865, 45,221 73

Total amount of Disbursements from Nov. 1st, 1864, to October 31st, 1865, 38,405 85

Balance in the Treasury, Oct. 31st, 1865, \$41,855 24

SUMMARY

Of Receipts and Disbursements for the fiscal year ending October 31st, 1865.

RECEIPTS.

Amount received from the U. S. Treasury, "being unexpended balance of the appropriation for the erection of a Penitentiary in Utah Territory," memorialized for by the Legislative Assembly of Utah, in 1864.

\$8,363 00

Amount received from John H. Standiford, North Canyon Precinct, Davis co., being proceeds of the sale of stock and credited to the common School Fund.

\$13 47

Amount received from Jonathan Smith, Farmington, Davis co., being proceeds of the sale of stock and credited to the common School Fund, 94 75

Amount received from Joseph Young, on account of Bear River Ferry, and credited to the common School Fund

10 00

118 22

Amount of Territorial Taxes received from the assessors and collectors of the following named counties for taxes due in the years designated:

Box Elder, year 1863	563 00	
" " 1864	520 00	
" " 1865	250 00	1,333 00

Beaver " 1864	520 25	
" " 1865	162 00	682 25

Cache " 1864		400 00
Davis " 1863	1,300 00	
" " 1864	1,655 15	
" " 1865	500 00	3,455 15

G. S. Lake " 1859	185 09	
" " 1860	25 95	
" " 1861	1,050 02	
" " 1862	644 42	
" " 1863	1,108 92	

2,964 40

	Brought forward	2,964 40	
"	" 1864	8,374 41	
"	" 1865	5,501 75	16,840 56
Iron	" 1862	180 25	
"	" 1864	284 00	
"	" 1865	290 00	754 35
Juan	" 1862	56 00	
"	" 1863	217 20	
"	" 1864	497 80	771 00
Morgan	" 1862	23 10	
"	" 1863	55 50	
"	" 1864	140 00	218 60
Millard	" 1864	638 30	
"	" 1865	150 00	788 30
Pinto	" 1865		20 00
Summit	" 1862	227 00	
"	" 1864	190 00	417 00
Sanpete	" 1862	99 00	
"	" 1863	101 00	
"	" 1864	875 00	1,075 00
Tooele	" 1863		236 80
Utah	" 1859	15 28	
"	" 1860	38 77	
"	" 1863	768 50	
"	" 1864	3,155 20	
"	" 1865	1,000 00	4,977 75
Washington	" 1864		1,563 75
Wasatch	" 1863	25 09	
"	" 1864	100 00	125 00
Weber	" 1862	240 00	
"	" 1863	400 00	
"	" 1864	1,584 00	
"	" 1865	858 00	3,082 00
			35,740 51
Total Receipts,			\$45,221 73

DISBURSEMENTS.

Amount of Auditor's Warrants redeemed at the Treasury.	33,405 85
	<hr/>
	6,815 88
Add balance on hand, Nov. 1st, 1864.	35,039 36
	<hr/>
Making the balance on hand, Oct. 31st, 1865,	\$41,855 24
	<hr/>

All of which is respectfully submitted,

DAVID O. CALDER, Treasurer.

On motion of Mr. Rowberry one thousand copies of the Governor's Message and accompanying documents were ordered to be printed in pamphlet form for the use of the Assembly and for distribution.

On motion of Mr. Woolley one hundred copies of the names and residences of members and officers of both houses with the standing Committees was ordered to be printed for the use of the Assembly.

On motion of Mr. Rockwood seventy-five copies of the daily minutes was ordered to be printed for the use of both Houses.

On motion of Councillor Woodruff the Joint Session dissolved.

Prayer by the Chaplain.

HOUSE.

REPRESENTATIVES' Hall, State House,
G. S. L. City, U. T., December 12, 1865, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. West, from Weber county, Mr. Rowberry, from Tooele county, Mr. Peacock, from Sanpete and Sevier counties, and Mr. Callister, from Millard county, appeared, presented their credentials and were qualified by Justice Phelps.

Mr. Rich, of the committee appointed to wait upon the Governor,

reported, that in conjunction with a like committee from the Council they had waited upon His Excellency, and that he would be pleased to communicate with the Assembly at 2 p.m. to-day.

The Assembly went into Joint Session in the Representatives Hall.

[See Joint Session Minutes.]

Upon dissolution of the Joint Session, the House resumed its sitting.

The following standing committees of the House were announced:

STANDING COMMITTEES OF THE HOUSE:

ON JUDICIARY—Lorin Farr, Jonathan C. Wright, Chauncey W. West, Silas S. Smith.

ON CLAIMS AND APPROPRIATIONS—Charles C. Rich, Lorin Farr, E. D. Woolley, Albert P. Rockwood.

ON PETITIONS AND MEMORIALS—John Van Cott, Jacob Gates, William W. Cluff, Jonathan C. Wright.

ON REVENUE—Benjamin F. Johnson, Peter Maughan, George Kendall, John W. Hess.

ON ELECTIONS—Peter Maughan, Charles S. Peterson, Lorin Farr, Geo. Peacock.

ON COUNTIES—Thomas Callister, John Van Cott, Silas S. Smith, Joseph S. Murdock.

ON ROADS, BRIDGES, FERRIES AND KANYONS—Warren S. Snow, Albert P. Rockwood, Charles C. Rich, John Rowberry.

ON EDUCATION—Joseph F. Smith, Edwin D. Woolley, William W. Cluff, Lorin Farr.

ON ENGROSSING—William W. Cluff, Joseph F. Smith, John Van Cott.

ON PRINTING—Silas S. Smith, William Jennings, Geo. Kendall.

ON AGRICULTURE, TRADE AND MANUFACTURES—William Jennings, Albert P. Rockwood, Peter Maughan, Warren S. Snow, Thomas Callister.

ON MILITIA—Albert P. Rockwood, Chauncey W. West, Wm. B. Pace, Thomas Callister.

ON INCORPORATIONS—Jonathan C. Wright, David Evans, Wm. J. Cox, Jacob Gates.

ON LIBRARY—John W. Hess, Charles S. Peterson, Wm. B. Pace.

ON PUBLIC DOMAIN AND SCHOOL LANDS—John Rowberry, Chas. C. Rich, David Evans, Wm. J. Cox.

ON PENITENTIARY—Edwin D. Woolley, Joseph S. Murdock, Wm. Jennings, Geo. Peacock.

ON INDIAN AFFAIRS—Jacob Gates, Charles C. Rich, Jonathan Wright, Benjamin F. Johnson.

ON IRRIGATION AND CANALS—Chauncey W. West, Jacob Gates, David Evans, Joseph F. Smith.

ON POSTAL AFFAIRS—Charles C. Rich, E. D. Woolley, Jacob Gates, Geo. Peacock.

Mr. Farr moved, that the freedom of the House be extended to the following gentlemen, viz: His Excellency Governor Durkee, Hon. Secretary Reed, ex-Governor Brigham Young, Hons. H. C. Kimball and D. H. Wells, Judge Elias Smith, Hon. A. O. Smoot, Mayor of G. S. L. City, F. H. Head, Esq., private Secretary of the Governor and the ex-members of the Legislative Assembly.

The minutes were called for, read and accepted.

On motion of Mr. Rockwood, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

—o—
WEDNESDAY, DECEMBER 13, 1865.

—
COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Dec. 13, 1865, 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Hon. Orson Hyde having arrived, the customary oath was administered to him by the President of the Council.

The following communication was received and read:

SECRETARY'S OFFICE, Utah Territory,
December 12, 1865. }

THE HONORABLE GEO. A. SMITH, PRESIDENT OF THE COUNCIL:

SIR:—I have made arrangements with the Postmaster of this city, by which he will pay and forward, during the session, all communications of the members and presiding officers of each House of the Legislative Assembly, also of the Secretary of the Council and Chief

Clerk of the House of Representatives, which are marked "Official Business" with their official signature annexed.

AMOS REED,

Secretary of Utah Territory.

On motion of Concilor E. T. Benson, the freedom of the Council was extended to the following named gentlemen: Presidents B. Young, H. C. Kimball, D. H. Wells, His Excellency Governor Durkee, Hon. Secretary Reed, F. B. Head, Esq., private Secretary to the Governor, Hon. Sol. P. McCurdy, Associate Justice, Hon. Elias Smith, Probate Judge of Great Salt Lake county, Hon. A. O. Smoot, Mayor of Great Salt Lake city and the members of the City Council, Hon. J. M. Bernhisel, the ex-members of the Legislative Assembly, J. C. Little, Esq., Assessor of Internal Revenue, and R. T. Burton, Esq., Collector of Internal Revenue.

The President of the Council referred the various portions of the Governor's Message, to the appropriate committees as follows, to wit:

- 1st. On Finances, to the committee on Revenue.
- 2d. On Territorial Militia, to the committee on Militia.
- 3d. On Common Schools and School Fund, to the committee on Education.
- 4th. On taxation for support of Schools, to the committee on Education and Revenue jointly.
- 5th. On City and Town sites, to the committee on Corporations.
- 6th. On Public Highways, to the committee on Roads, Bridges and Ferries.
- 7th. On Mineral Resources, to the committee on Agriculture, Trade and Manufactures.
- 8th. On Territorial Library, to the committee on Library.
- 9th. On Boundaries, to the committee on Counties.
- 10th. On Irrigation, to the committee on Irrigation and Canals.
- 11th. On Turnpike Roads, to the committee on Corporations.
- 12th. On New Postal Routes, to the committee on Postal Affairs.

The following was received from the House and read:

REPRESENTATIVES' HALL, G. S. L. City,
December 13, 1865. }

HON. THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House of Representatives have appointed Messrs. Farr, Rockwood and Rowberry, a committee to confer with a similar committee to be appointed by your honorable body, to take

into consideration the propriety of revising or codifying the present laws.

Very Respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Benson, the request of the House was complied with, and the President appointed Councilors Benson, Cannon and Richards, said committee.

On motion of Councilor Harrington, the Council adjourned until 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December, 13th, 1865, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by Mr. West.

The freedom of the House was extended to Hon. J. M. Bernhisel.

The following was received and read:

SECRETARY'S OFFICE, Utah Territory,
December 12, 1865. }

THE HONORABLE JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have made arrangements with the Postmaster of this city, by which he will pay and forward, during the present session, all communications of the Members and Presiding Officer of each House of the Legislative Assembly, also of the Secretary of the Council and Chief Clerk of the House of Representatives, which are marked "Official Business" with their official signatures annexed.

AMOS REED,

Secretary of Utah Territory.

On motion of Mr. Rowberry, a committee on postal affairs was added to the list of standing committees:

The Speaker appointed Messrs. Charles C. Rich, Edwin D. Woolley, Jacob Gates and George Hanceck, said committee.

Mr. Callister moved that the Editors of the DESERET NEWS and

Telegraph be tendered seats for the use of themselves or reporters during the present session.

Mr. Rowberry presented, a bill for an act concerning Notaries Public for Tooele county, which was read, and

On motion of Mr. Farr was referred to the committee on elections.

Mr. Rockwood moved, that a special committee be appointed to confer with a like committee that may be appointed by the Council to take into consideration the propriety of revising or codifying the present laws. Seconded and carried.

The Speaker appointed Messrs. Farr, Rockwood and Rowberry, said committee.

Mr. Farr moved, that the Hon. Secretary Reed be requested to furnish each member and officer of the House with a copy of the Weekly and Semi-Weekly DESERET NEWS also the Daily and Semi-Weekly *Telegraph* during the present session. Seconded and carried.

The minutes were called for, read and accepted.

On motion of Mr. Wright, the House adjourned till 1 p. m. to-morrow.

Benediction by the Chaplain.

—o—

THURSDAY, DECEMBER 14, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City.

December 14th, 1865, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

SECRETARY'S OFFICE, Utah Territory,

G. S. L. City, December 14th, 1865. }

THE HONORABLE GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

SIR:—I have the honor to acknowledge the receipt of your communication of this date, informing me that the Council has by unanimous vote, tendered to me the freedom of the Council Chamber during its present session.

I beg you will convey to the members of the Council my grateful acknowledgements for this courtesy and assure them that I shall be happy to avail myself of its privileges as often as my public duties will permit.

Very Respectfully,

Your obedient Servant,

AMOS REED,

Secretary of Utah Territory.

Councilor Benson, chairman of the committee appointed to meet with a committee from the House on the subject of the revision of the laws made the following report:

Your committee have with a like committee from the House taken the subject referred to them into consideration and have decided unanimously that the laws of this Territory be revised and compiled, we also recommend that a suitable committee be appointed from this Council to act with one from the House, to attend to the above matter as speedily as possible.

On motion of Councilor Hyde, the report was accepted.

The following communications were received and read:

EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, Dec. 14th, 1865. }

HON. GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL, U. T.

SIR.—I have to inform you that I have appointed Franklin H. Head, my private Secretary, and all communications from this Department to your honorable body will be transmitted through him.

CHARLES DURKEE.

EXECUTIVE OFFICE, G. S. L. City,
December 14th, 1865. }

HON. GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL.

SIR.—Your communication of the 13th inst., announcing my welcome to the floor of the Council Chamber, is received and duly appreciated.

Respectfully,

CHARLES DURKEE.

A communication was also received from F. H. Head, Esq., His Excellency's Private Secretary, thanking the Council for the courtesy extended to him in the freedom of the Council Chamber.

I move, the House concurring, that a committee of one be appointed from the Council to act with a committee of the House, to revise and compile the laws now in force in this Territory with a view to their being published with those that may be enacted during the present session.

ORSON HYDE,

Seconded and carried.

The President appointed Councilor Harrington, said committee. The following report was presented by Councilor Woodruff:

TO THE LEGISLATIVE ASSEMBLY

OF THE TERRITORY OF UTAH:

GENTLEMEN:—Having been appointed an agent, during the session of 1864-65, to receive and dispose of the Titles to the Public Lands, apportioned and donated to this Territory by an Act of Congress, approved July 2nd, 1862, and an Act amendatory, approved April 14th, 1864, for purchase of site for an Agricultural College and for other purposes, I would respectfully report that I have used due diligence in endeavoring to carry out the wishes of the Legislature in this respect, and forwarded a copy of this act to our Delegate in Congress, Hon. John F. Kinney, who has co-operated with me in endeavoring to accomplish this object. Our Delegate made inquiry of the proper Department at Washington, and in reply received a letter from the Commissioner of the General Land Office to the effect that Territories were not embraced within the Law donating Lands for College purposes. In the title of the Act, Territories were included; but the Bill was amended by striking out Territories; but the enacting clause was not amended; hence the confusion. And inasmuch as this is the view of the Land Office at Washington, and whereas no expense has accrued to the Territory up to the present time, I would recommend that the Fifteen Hundred Dollars appropriated for the purpose remain in the Territorial Treasury and your Agent be discharged from further duty upon this subject.

W. WOODRUFF,

Agent appointed by Legislative Assembly.

On motion of Connellor Young, the report was received and the subject of repealing the Law creating the agent referred to the committee on Public Domain and School Lands.

On motion of Councilor Benson, the Council adjourned until 1 p. m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, State House,
G. S. L. City, Dec. 14, 1865, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message from the Council was received and read:

Councilors Benson, Cannon and Richards are appointed a committee to meet with your honorable committee, on the subject of the codification of the laws.

Very Respectfully,

GEO. A. SMITH, President of the Council.

The Speaker referred the Governor's Message to the standing committees as follows:

1st. On Finances, to the committee on Revenue.

2d. On Territorial Militia, to the committee on Militia.

3d. On Common Schools and School Fund, to the committee on Education.

4th. On taxation for support of Schools, to the committee on Education and Revenue jointly.

5th. On memorializing Congress for School purposes, to the committee on Petitions and Memorials.

6th. On City and Town sites, to the committee on Corporations.

7th. On Public Highways, to the committee on Roads, Bridges and Ferries.

8th. On Mineral Resources, to the committee on Agriculture, Trade and Manufactures.

9th. On Territorial Library, to the committee on Library.

10th. On Boundaries, to the committee on Counties.

11th. On Irrigation, to the committee on Irrigation and Canals.

12th. On Turnpike roads, to the committee on Corporations.

13th. On New Postal Routes, to the committee on Postal Affairs.

On motion of Mr. Rockwood, the committee on Agriculture were instructed to bring in a bill on the subject of Division Fence.

The following was received and read:

TO THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

GEO. A. SMITH:—Your special committee, who was appointed to confer with a like committee from the Council, to take into consideration the propriety of raising, arranging and compiling the Territorial

Laws that are now in force; and would respectfully ask leave to report favorably upon the subject; and would recommend that there be a special committee, appointed by the House, to act conjointly with a similar committee from the Council, to bring about such a desirable object and report their doings thereon as soon as practicable.

LORIN FARR, Chairman.

On motion of Mr. West, the report was received and the recommendation therein adopted.

The Speaker appointed Messrs. Farr, Rockwood, West, Jennings and Wright said committee.

The following communications were received and read:

EXECUTIVE OFFICE, G. S. L. City,
December 14th, 1865. }

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—Your communication of the 12th inst., announcing my welcome to the floor of the House, during the present session of the Legislature, was received and duly appreciated.

Very Respectfully,

CHARLES DURKEE.

EXECUTIVE OFFICE, G. S. L. City,
December 14th, 1865. }

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have to inform you that I have appointed Franklin H. Head my Private Secretary, and all communications from this department to your honorable body, will be transmitted through him.

CHARLES DURKEE.

EXECUTIVE OFFICE, Utah Territory,
December 14th, 1865. }

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have received your favor of the 12th inst., informing me that the House of Representatives had voted me the freedom of the House, and I thank you most sincerely for the courtesy and kindness, of which this is a manifestation.

Very Respectfully Yours,

F. H. HEAD.

DAILY TELEGRAPH OFFICE,
G. S. L. City, Dec. 14th, 1865.

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—Appreciating the courtesy of the honorable body of Representatives in tendering to the Editor of the Telegraph, or his representative, a seat in the House during its present session, I beg to return you my sincere thanks, and subscribe myself

Your Obedient Servant,

T. B. H. STENHOUSE.

Mr. Callister moved, that there be a committee appointed to bring in an Act in relation to Estray Pounds. Seconded and carried.

The Speaker appointed Messrs. Callister, Pace and Snow said committee.

Mr. Farr moved, that the standing committees be instructed to make such suggestions to the special committee on revision as they may think necessary for the accomplishment of the work. Seconded and carried.

The minutes were called for, read and accepted.

On motion of Mr. Rowberry, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

FRIDAY, DECEMBER 15, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
December, 15, 1865, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

LEGISLATIVE HALL, G. S. L. City,
December 15, 1865. }

HON. GEORGE A. SMITH

AND MEMBERS OF THE COUNCIL,

GENTLEMEN:—Messrs. Farr, Rockwood, West, Jennings and

Wright are appointed a special committee on behalf of the House of Representatives to meet with a similar committee to be appointed by your honorable body to arrange and compile the Territorial laws now in force.

Very Respectfully,

JOHN TAYLOR, Speaker.

Councilor Erastus Snow, having arrived, the customary oath was administered to him by the President of the Council.

The following report was read:

Your committee to whom was referred, the propriety of repealing the Law creating Hon. Wilford Woodruff, an Agricultural Agent beg leave to report the accompanying Act.

ORSON HYDE,

Chairman of the Committee on Public Domain and School Lands.
[C. F. No. 1.] "An act to repeal an act entitled an act creating an agent to receive and manage the agricultural fund of the Territory," which was read, and

On motion of Councilor Benson, the report was received and the bill read the first time, and,

On motion of Councilor Snow, the bill was read the second time, and,

On motion of Councilor Carrington, was read the third time by its title, and so passed, and sent to the House for its concurrence.

On motion of Councilor Benson, the committee on the revision of the Laws were authorized to employ what clerks they require to assist them in their duties.

Minutes were read and accepted.

On motion of Councilor Lyman, the Council adjourned until 1 p. m. of Monday next.

Benediction by the Chaplain.

—o—

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December 15th, 1865, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. B. F. Johnson of Utah appeared, was qualified by Justice Phelps and took his seat.

A message was read from the Council, announcing the appointment of Councilor Harrington to act with the House committee on the revision and compilation of the laws.

Mr. Maughan, in behalf of committee on Elections, to whom was referred [H. F. No. 1.] entitled "An act concerning Notaries Public for Tooele county;" reported the said bill back with amendments and recommended its passage.

On motion of Mr. Rowberry, the report was received and the bill laid on the table to come up in its order.

Mr. Rowberry presented a bill for "An act to incorporate Tooele City," which was read, and,

On motion of Mr. Rich, referred to the committee on Incorporations.

Communications were received and read from the Directors and Warden of the Penitentiary, and sixty copies of the same ordered to be printed for the use of the Assembly.

PENITENTIARY REPORT.

DIRECTOR'S OFFICE, Great Salt Lake City, }
December 14, 1865. }

TO THE HON. JOHN TAYLOR,

AND THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—In compliance with an act of the Legislative Assembly of the Territory of Utah, approved Jan. 20th, 1862, we herewith transmit our report of the finances of the Utah Penitentiary, and an approximate estimate of the means necessary to defray the expenses of the ensuing year.

Also the report of the Warden, showing the condition of the Penitentiary, the number of convicts, their condition, when, for what, and how long sentenced, the fiscal affairs and the avails arising from the labor of convicts, together with a copy of a communication from the Warden to the Hon. A. McRae, ex-Warden.

We have the honor to be,

Very Respectfully,

Your Obedient Servants,

FREDERICK KESLER,
REUBEN MILLER,
FERAMORZ LITTLE.

FINANCIAL REPORT.

Received draft from your honors on the Auditor
of public accounts for warrant on the Treasurer
to the amount of five thousand and four dollars
and twelve cents 5004 12

On the appropriation of the Legislative Assembly
of \$392 81, being in consideration of supplies
furnished in 1864, by A. P. Rockwood 392 81

Received on bills reported payable on last year's
report 603 31

Received; labor of convicts 1162 98

" other incomes 94 04

Total \$7257 26

The above disposed of as follows:

Paid, expenses of convicts 5695 83

" supplies of 1864 to A. P. Rockwood 392 81

Invested in bills receivable, over amount report-
ed last year 469 84

Invested in property on hand more than on hand
last year 698 20

Discrepancy in account which is charged to Fi-
nancial Officer 1 58

Expenses of the institution as above 7257 26

Received for convict labor 5695 83

Due on bills payable for convict labor 1162 98

Other income as above 108 30 1271 28

94 04

Total income \$1365 32

Amounts deducted from expenses set forth above,
shows nett cost of the institution to be 4330 51

Balance \$5695 83

PROPERTY ON HAND.

Amount in tools, stock, furniture, etc. 1962 17

" bills receivable 1108 91

Total \$3071 08

Due on bills receivable as stated from the U. S.	
for keeping convicts	220 75
" from A. McRae	152 00
" Deseret Navigation and Irrigation Company	
for convict labor	259 90
" by Brigham Young for convict labor	103 87
" " Long & Hart " " "	35 54
" " Territory of Utah " " "on road	74 50
" " " " repairs of prison	39 50
In the hands of the Financial Officer as unex-	
pected fund	91 01
" from the guard as advanced pay from other	
parties, all of which is considered available	43 83
Total	\$1108 91

The \$118 50 reported due the G. S. L. City police in last year's report, is cancelled as follows: having been officially informed by the Auditor of public accounts that a draft was drawn on him by the Directors for the payment of certain items incurred by the arrest of Dives, an escaped convict, and that it was paid out of the moneys appropriated for Penitentiary purposes, I have thought proper to charge the account of police an amount equal to the offered reward and services us guard.

The extreme high prices of supplies, fuel, clothing, etc., have more than doubled the expense from what it would have been under ordinary prices in this market.

The claim due by A. McRae of \$152 00, as reported last year, remains unsettled. I have communicated with him on the subject, a copy of which I herewith submit to you and would be happy to hear any suggestions you may be pleased to make on the subject.

There are no outstanding debts due by the institution, contracted by the present Financial officer, neither have I any knowledge of any contracted by my predecessors.

HISTORICAL REPORT.

There were five territorial convicts in the Penitentiary at the time of the last annual report, (Dec. 1st, 1864.) viz:

George Wood, for the crime of murder, term of sentence, during life.

William Wilson, assault with intent to kill, sentence, three-years.

Herbert Manning Hulmes, for larceny, term, two years.

John L. Dunion, for larceny, term, six months.

Hugh Rose, for larceny, term, three months.

There have been committed during the present fiscal year:

Maddison L. Kentner, for larceny, term of sentence, one year.

Wm. H. H. Sheats, for larceny, term of sentence, six months.

F. F. Fox, for larceny, term of sentence, six months.

S. W. Dildine, for larceny, term of sentence, six months.

John Gorman, for larceny, term of sentence, five years.

Thos. O'Conner, for larceny, term of sentence, two years.

Robert Kirke Young, for larceny, term of sentence, two years.

D. M. Griffin, for larceny, term of sentence, three years.

Samuel M. Butcher, for larceny, term of sentence, three years.

Thomas Casey, for larceny, term of sentence, two years and six months.

George H. Heath, for burglary and larceny, term of sentence, six years.

Louis Denzeinen, for burglary and larceny, term of sentence, six years.

George Green, for burglary and larceny, term of sentence, five years.

Edward Frodsham, for burglary and larceny, term of sentence, seven years.

John Kremner, for burglary and larceny, term of sentence, ten years.

Of the convicts in custody during the past year, seven have been pardoned, four have successfully escaped, two deceased and two remain in custody, one discharged on writ of habeas corpus, one taken prisoner by the United States military authorities, with a view of trying him for desertion. I have made official request that, when said convict had been tried, and if not found guilty, or if found guilty and the sentence of the court martial duly executed, (if not unto death) to notify me that I might take possession of him and execute the sentence of the court. I have received no official information on the subject, hence I conclude that he has not yet had a trial, or, if tried; that the sentence of the court martial has not yet been executed.

Since the first of January, 1865, there have been thirty-two individual attempts to escape, besides some general conspiracies to force a break and fight their way through the guard; in this, all the convicts were not concerned. The conduct of many of the convicts has been such as to render it necessary to keep many of them in irons for their security and for the safety of the guard.

There has been more than usual sickness among the convicts; at

present, all are in good health. Under the circumstances that have existed, I think much credit is due most of the guard for their watchfulness and unceasing diligence to retain convicts.

The cells are in a dilapidated condition, consequently it is unsafe without night guard.

In view of the foregoing, and for various other reasons, I would respectfully suggest that you recommend to the Legislative Assembly that they discontinue the institution, and provide other ways and means to dispose of convicts.

GENTLEMEN:—If any further information or explanation is necessary to give a more perfect understanding, the books, papers and services of your servant are at your command.

A. P. ROCKWOOD, Warden of Utah Penitentiary.

Dec. 1st, 1865.

TO THE SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The appropriation of three thousand dollars at your last session for expenses of the Penitentiary having been found insufficient to meet the expenditures, we have drawn on the Auditor of Public Accounts for \$2000 additional, which has been expended under the supervision of the Warden as per his report. We would therefore recommend a special appropriation of two thousand dollars to cover said amount.

We would also recommend an appropriation of five thousand dollars to defray the expenses of the ensuing year.

Very Respectfully,

Your Obedient Servants,

FREDERICK KESLER,
REUBEN MILLER,
FERAMORZ LITTLE,

Directors Utah Penitentiary.

G.S.L. City Dec. 14, 1865.

On motion of Mr. Jennings, the committee on Revision were authorized to obtain necessary clerk service.

Mr. Rowberry moved, that the committee on Elections be instructed to take into consideration the propriety of amending the General Election Laws, by providing more specifically the punishment for fraud or negligence on the part of officers, and, also the propriety for three Judges of Elections instead of one, and report at an early day by bill or otherwise. Seconded and carried.

The following was received and read:

COUNCIL CHAMBER,
December 15th, 1865. }

HON. JOHN TAYLOR, SPEAKER, ETC.

GENTLEMEN:—The accompanying act, [C. F. No. 1.] "An act to repeal an act entitled an act creating an agent to receive and manage the agricultural fund of the Territory," has passed the Council, and is now sent to your honorable body for concurrence.

Very Respectfully,

GEO. A. SMITH,

President of the Council.

Said bill was read, and,

On motion of Mr. Rowberry, the House concurred with the Council in the passage thereof.

The minutes were called for, read and accepted.

On motion of Mr. Rich, the House adjourned till Monday at 1 p.m.
Benediction by the Chaplain.

—○—
MONDAY, DECEMBER 18, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
December 18, 1865, 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present,

Prayer by the Chaplain.

The following communication was received from the House:—

"REPRESENTATIVES' HALL,
December 15, 1865. }

HON. THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House of Representatives have concurred in your bill [C. F. No. 1.] "An act to repeal an act entitled an act creating an agent to receive and manage the agricultural fund of the Territory," which is herewith returned for engrossing.

Very Respectfully,

JOHN TAYLOR, Speaker."

On motion of Councillor Hyde, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December 18, 1865, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Gates, of Washington and Kane counties, appeared, was qualified by Justice Phelps and took his seat.

Mr. Evans presented, a bill for an act to incorporate the Lehi Library Association, which was read and referred to the committee on incorporations.

Mr. Gates presented, petition of 399 persons from Washington county, for an appropriation for road purposes in that county, which was referred to the committee on claims and appropriations.

Mr. Maughan presented, a bill for an act to amend an act to incorporate Logan city, which was read and referred to the committee on incorporations.

The bill for an act concerning Notaries Public for Tooele county, was taken up and read the first time.

Mr. Callister moved, that in consideration of the amount of business in the hands of committees the House adjourn till to-morrow at 1 p.m.

The minutes were called for, read and accepted.

Benediction by the Chaplain.

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TUESDAY, DECEMBER 19, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
December, 19th, 1865, 1 p. m. }

Council met pursuant to adjournment

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Cannon presented, memorial from William Clayton, Recorder of Marks and Brands, for an appropriation to defray the expense of reprinting the brand sheets, which was read, and,

On motion of Councilor Young, was referred to the committee on claims and appropriations.

The following communication was received from the House:

REPRESENTATIVES' HALL, G. S. L. City, Dec. 18, 1865.

HON. THE PRESIDENT

AND MEMBERS OF THE COUNCIL,

GENTLEMEN—The House of Representatives have passed [H. F. No. 2.] "An act to incorporate Tooele City,

[H. F. No. 3.] "An act to incorporate the Lehi Library Association," and,

[H. F. No. 4.] "An act to amend an act to incorporate Logan City," which are herewith forwarded for the action of your honorable body.

Very respectfully,

JOHN TAYLOR, Speaker.

[H. F. No. 2.] "An act to incorporate Tooele City" was read, and,

On motion of Councilor Carrington, passed to its second reading, and,

On motion of Councilor Richards, passed to its third reading by its title, and was returned to the House concurred in.

[H. F. No. 3.] "An act to incorporate the Lehi Library Association" was read, and,

On motion of Councilor Carrington, was read the second time, and,

On motion of Councilor Cannon, was read the third time by its title, and concurred in.

[H. F. No. 4.] "An act to amend an act to incorporate Logan City" was read, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Carrington, was not concurred in.

Councilor Benson presented the following report:

HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—Your committee on "claims and appropriations," to whom was referred memorial of William Clayton, Recorder of Marks and Brands, praying for an appropriation, beg leave to report the accompanying act, and recommend its passage.

E. T. BENSON, Chairman.

Which was read, and,

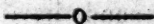
On motion of Councilor Cannon, was received.

[C. F. No. 2.] "An act for the relief of the Recorder of Marks and Brands," and to amend an act in relation to marks and brands, approved March 1st, 1852, was read, and,

On motion of Councilor Carrington, was read the second time, and, Pending the debate on the title, the minutes were called for, read, and accepted.

On motion of Councilor E. Snow, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 19, 1865, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Cluff moved, that the committee on Counties be instructed to inquire into the expediency of changing the boundary lines between Morgan and Summit counties and to bring in a bill so as to include Lost Creek valley in Summit county. Seconded and carried.

The following was received and read:

GREAT SALT LAKE CITY, December 19th, 1865.

TO THE HONORABLE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your humble petitioner would humbly ask your honorable body to appropriate the sum of two thousand dollars out of any money in the Territorial Treasury, not otherwise appropriated to assist in completing the road around the Point of the Mountain in Utah and Great Salt Lake counties, and as in duty bound, your humble petitioner will ever pray. DAVID EVANS.

On motion of Mr. Wright, the petition was referred to the committee on Roads, etc.

Mr. Wright presented, a bill for "An act granting to Alvin Nichols and Wm. S. Godbe the right to establish a toll bridge across Bear river in Box Elder county," which was read, and,

On motion of Mr. Rich, referred to the committee on Roads, etc.

Mr. Wright, Chairman of committee on Incorporations, to whom was referred the bill for "An act to incorporate the Lehi Library Association," reported the same back and recommended its passage.

Said bill was read the first time.

Said bill was read the second time.

Said bill, [H. F. No. 3.] "An act to incorporate the Lehi Library Association" was read the third time by its title and so passed.

Mr. Wright, Chairman of committee on Incorporations to whom was referred "An act to incorporate Tooele City," reported the same back and recommended the passage thereof.

Said bill was read the first time.

Said bill was read the second time.

Said bill, [H. F. No. 2.] "An act to incorporate Tooele City," was read the third time by its title and so passed.

The following was received and read:

MR. SPEAKER AND GENTLEMEN OF THE HOUSE:

Your committee on Incorporations, to whom was referred [H. F. No. 4.] "An act to amend an act to incorporate Logan City," herewith report the same back, and unanimously concur in the adoption of the proposed amendment, as also in the passage of said act.

Very Respectfully,

J. C. WRIGHT, Chairman.

Committee room, Dec. 19, 1865.

Said bill was read the first time.

Said bill was read the second time.

Said bill, [H. F. No. 4.] "An act to amend an act to incorporate Logan City," was read by its title and so passed.

Mr. Peacock moved, that the committee on claims and Appropriations take into consideration the propriety of appropriating the sum of one thousand dollars, to make a dugway road between Glenwood and Salina, on the east side of the Sevier river in Sevier county, and the sum of five hundred dollars to improve the road over the ridge between Alma and Circleville, in Sevier county. Said appropriations to be expended under the direction of the County Court of Sevier county. Seconded and carried.

[H. F. No. 1.] "An act concerning Notaries Public for Tooele county," was taken up on its second reading and referred back to the committee on elections.

The minutes were called for, read and accepted.

On motion of Mr. Snow, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

WEDNESDAY, DECEMBER 20, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
December, 20th, 1865, 1 p. m. }

Council met pursuant to adjournment

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Woodruff presented, a "Petition from John H. Picknall and nine others, praying for the enacting of a law to enable business men to collect their debts."

On motion of Councilor L. Snow, the Petition was referred to the committee on Agriculture, Trade, and Manufactures.

[C. F. No. 2.] was called up on its third reading, and,

On motion of Councilor Cannon, was referred back to the committee on Claims and Appropriations, with instructions to incorporate the amount required, viz: 300 00 in the Territorial Appropriation Bill, also, that the amendment brought in by the committee on Claims and Appropriations be referred to the committee on Agriculture, etc., with instructions to examine the original law on Marks and Brands, and bring in one bill incorporating the necessary amendments.

On motion of Councilor E. Snow, the committee on Claims and Appropriations were instructed to incorporate in the Territorial Appropriation Bill, the following amounts appropriated by the Assembly last session, but accidentally omitted from said bill, viz: "To repair and change the road between Toquerville, Washington county, to Grafton, Kane county; one thousand dollars."

"To make a good road over the Mountain dividing Sevier and Piute counties, one thousand dollars."

"To Seth M. Blair, for four years additional services as Attorney-General, two hundred dollars." \$200 00.

For office rent of Territorial Marshal, Attorney-General and Clerk of the Third District Court, one hundred and fifty dollars.

Minutes read and accepted.

On motion of Councilor Hyde, the Council adjourned until 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December 20, 1865, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Callister, Chairman of special committee, appointed to draft a bill for the regulation of Estray Pounds and other purposes, reported a bill entitled, "An act regulating Estray Pounds and for other purposes," which was read, and sixty copies thereof ordered to be printed, and the bill was laid on the table to come up in its order.

Mr. Snow presented, Memorial to Congress for extension of mail service through Sevier and Piute counties, which was read, and,

On motion of Mr. Rich, referred to the committee on Postal Affairs.

A message was received and read from the Council, announcing their concurrence in [H. F. No. 2.] "An act to incorporate Tooele City;" and their concurrence in [H. F. No. 3.] "An act to incorporate the Lehi Library Association," also their non-concurrence in [H. F. No. 4.] "An act to amend an act to incorporate Logan City."

The following was received and read:

* Your committee on Roads, Bridges, Ferries and Kanyons, to whom was referred, "An act granting unto Alvin Nichols and W. S. Godbe the right to erect a toll bridge across Bear river in Box Elder county," beg leave to report the accompanying act and recommend its passage as amended, by adding thereto Section six.

WARREN S. SNOW, Chairman.

On motion of Mr. Rowberry, the report of the committee was received and the bill laid on the table to come up in its order

The minutes were called for, read and accepted.

On motion of Mr. Manghan, the House adjourned till 1 p. m. tomorrow.

Benediction by the Chaplain.

THURSDAY, DECEMBER 21, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City.
December 21st, 1865, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communications were received and read:

EXECUTIVE OFFICE, Utah,
December 20th, 1865. }

THE HONORABLE GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

The bill entitled, "An act to repeal an act creating an agent to receive and manage the Agricultural Fund of the Territory," I have this day approved, signed and deposited in the Office of the Secretary of the Territory.

CHARLES DURKEE, Governor.

EXECUTIVE OFFICE, Utah,
December 20th, 1865. }

SIR:—I have to acknowledge the receipt of one hundred copies of my Annual Message to the Legislative Assembly, which you have done me the honor to transmit, accompanied with your esteemed note of the 19th inst.

Be assured, sir, that this act of courtesy is duly appreciated.

CHARLES DURKEE.

Hon. George A. Smith, President of the Council.

The following was received and read:

COMMITTEE ROOM, Dec. 21st, 1865.

TO THE HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—Your committee on Elections would beg leave to report the number and kind of offices to be filled by the joint vote of this Legislative Assembly, viz:—

One Chancellor and twelve Regents of the Deseret University.

One Treasurer of the University.

One Superintendent of Common Schools.

One Territorial Treasurer.

One Auditor of Public Accounts.

One	Territorial Road Commissioner.		
One	Territorial Marshal.		
One	Attorney-General.		
One	District-Attorney for the First Judicial District.		
One	" " Second " "		
One	Territorial Surveyor-General.		
One	Librarian.		
One	Recorder of Marks and Brands.		
One	Warden of the Penitentiary.		
Three	directors of the Penitentiary.		
One	Sealer of Weights and Measures.		
One	Probate Judge and four Notaries Public for	Washington co.	
"	" one	" Iron	"
"	" "	" Beaver	"
"	" two	" Millard	"
"	" one	" Piute	"
"	" two	" Sanpete	"
"	" one	" Sevier	"
"	" "	" Juab	"
"	" three	" Utah	"
"	" one	" Wasatch	"
"	" three	" G. S. Lake	"
"	" one	" Davis	"
"	" "	" Morgan	"
"	" three	" Weber	"
"	" one	" Box Elder	"
"	" three	" Cache	"
"	" one	" Tooele	"
"	" "	" Summit	"
"	" "	" Green River	"
"	" "	" Richland	"
"	" "	" Kane	"

And your committee would recommend that both Houses meet in Joint Session in the Representatives' Hall at an early date.

E. T. BENSON, Chairman of Committee on Elections.

On motion of Councillor Johnson, the report was accepted, and the House concurring, January 5th, 1866, at 2 p.m., was appointed for the Assembly to meet in Joint Session for the election of Territorial Officers.

The following was received and read:

RECORDER'S OFFICE,
G. S. L. City, December 20th, 1865. }

HONORABLE GEO. A. SMITH, PRESIDENT OF THE COUNCIL OF THE
LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH:

SIR:—I have the honor to inform you that your communication to the City Council of Great Salt Lake City, extending to that body the freedom of the Council Chamber by the unanimous vote of the Council was read, and a vote passed in acknowledgment of the receipt of the same.

I have the honor to remain,

Your Obedient Servant,

ROBERT CAMPBELL,

City Recorder.

Councilor Carrington presented, [C. F. No. 3.] "An act defining the Judicial Districts for the Territory of Utah, prescribing the times and places of holding Supreme and District Courts, and assigning the Chief Justice and the two Associate Justices."

On motion of Councilor E. Snow, the bill was laid on the table to become the order of the day to-morrow.

Councilor Harrington, Chairman of the committee on Revision, presented [C. F. No. 4.] "An act creating the office of Selectmen, and prescribing their duties, also the duties of the County Courts," which was read, and,

On motion of Councilor E. Snow, was laid on the table to come up in its order.

Minutes were read and accepted.

On motion of Councilor Lyman, the Council adjourned until 1 p.m. to-morrow.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' Hall,
G. S. L. City, U. T., December 21, 1865, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Petersen presented, a bill for "An act to repeal an act incorporating the Weber Canyon Road Company," which was read, and,

On motion of Mr. Wright, referred to the committee on Roads, etc.

[H. F. No. 6.] "An act regulating Estray Pounds and for other purposes," was taken up and read, and,

On motion of Mr. Van Cott, referred to the committee on Judiciary.

The minutes were called for, read and accepted.

On motion of Mr. Smith, the House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

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FRIDAY, DECEMBER 22, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
December 22, 1865, 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

[C. F. No. 3.] "An act defining the Judicial Districts for the Territory of Utah, prescribing the times and places of holding Supreme and District Courts, and assigning the Chief Justice and the two Associate Justices," was taken up on its first reading, and,

On motion of Councilor Carrington, was read the second time by sections, and,

On motion of Councilor Young, the bill passed its third reading by its title, and was sent to the House for their concurrence.

The following communication was received from the House and read:

REPRESENTATIVES' HALL, G. S. L. City,
December 22, 1865. }

HON. THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House of Representatives concur in meeting with the Council in Joint Session in the Representatives' Hall on Friday, January 5th, 1866, at 2 p.m., according to your wishes.

Very Respectfully,

JOHN TAYLOR, Speaker.

[C. F. No. 4.] "An act creating the office of Selectmen, and pre-

scribing their duties, also the duties of the County Courts," which was read the second time, and pending discussion on the bill.

Councilor Harrington, Chairman of the Select Committee on Revision presented, [C. F. No. 5.] "An act defining the boundaries of counties and locating county seats," which was read and laid on the table to come up in its order.

On motion of Councilor Richards, the Council adjourned till 1 p. m. on Wednesday the 27th inst.

Minutes read and accepted.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, U. T., December 22, 1865, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received and read:

The Council have agreed, with the concurrence of the House, to meet in Joint Session in the Representatives' Hall on Friday the 5th of January A. D. 1866, at 2 o'clock p. m., for the election of Territorial officers. Do you concur?

Very respectfully,

GEO. A. SMITH.

President of the Council.

On motion of Mr. Snow the House concurred in the proposed Joint Session.

The following was received and read:

G. S. L. CITY, Dec. 22, 1865.

TO THE HONORABLE THE PRESIDENT AND MEMBERS
OF THE LEGISLATIVE COUNCIL:

GENTLEMEN:—Whereas the undersigned has formerly held a charter for the Bear River Ferry, and whereas certain persons, viz: Alvin Nichols and Wm. S. Godbe have petitioned this honorable body for a charter to build a bridge across Bear river, and within the probable bounds of my charter, I do hereby petition your honorable body to grant unto the above named persons a charter to build said

[Dec. 27.]

bridge, and as in duty bound, your petitioner will ever pray.

Jos. Young, Senior.

On motion of Mr. Rowberry, the Petition and [H. F. No. 5] "An act granting unto Alvin Nichols and W. S. Godbe the right to erect a toll bridge across Bear river in Box Elder County" was referred to the Committee on roads, bridges, ferries etc.

On motion of Mr. Pace, Mr. Snow was added to the Committee on Militia.

The following was received and read:

COUNCIL CHAMBER,
G. S. L. City, Dec. 22d, 1865. }

HONORABLE SPEAKER AND MEMBERS OF THE
HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The enclosed bill, [C. F. No. 3.] "An act defining the Judicial Districts for the Territory of Utah; prescribing the times and places of holding Supreme and District Courts, and assigning the Chief Justice and the two Associate Justices," has passed the Council and is sent to your honorable body for concurrence.

Very respectfully,

GEO. A. SMITH, President of the Council.

Said Bill [C. F. No. 3] "An act defining the judicial districts for the Territory of Utah, prescribing the times and places of holding Supreme and District courts and assigning the Chief Justice and the two Associate Justices," was read, and,

On motion of Mr. Peacock the House concurred with the Council in the passage thereof.

The minutes were called for read and accepted.

On motion of Mr. Rich, the House adjourned till Wednesday the 27th inst. at 1 p. m.

Benediction by the Chaplain.

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WEDNESDAY, DECEMBER 27, 1865.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 27th, 1865, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House and read:

REPRESENTATIVES' HALL, }
December, 22, 1865. }

HON. THE PRESIDENT

AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House of Representatives have concurred in the passage of [C. F. No. 3.] "An act defining the Judicial Districts for the Territory of Utah, prescribing the times and places of holding Supreme and District courts, and assigning the Chief Justice and the two Associate Justices," which is herewith returned to your honorable body.

Very respectfully,

JOHN TAYLOR, Speaker.

[C. F. No. 4.] was taken up on its second reading by sections, and,

On motion of Councilor Cannon, was laid over for further consideration.

[C. F. No. 5.] "An act defining the boundaries of Counties and locating County seats," was taken up on its second reading by sections, and,

On motion of Councilor E. Snow, the second section was amended by striking out the proviso to said section, and,

On motion of Councilor Richards, the bill passed its third reading by its title and was sent to the House for concurrence.

Councilor Young presented, [C. F. No. 6.] "An act to incorporate the Wasatch Wagon Road Company," which was read and pending discussion.

Councilor E. Snow presented, resolution asking that the committee on Roads, Bridges, Ferries and Kanyons be instructed to inquire into the expediency of making good thoroughfares leading to and from this Territory, paying the expense thereof out of the Territorial Treasury, and erecting thereon toll gates, the profits of which toll to accrue to the Territory.

On motion of Councilor Richards, said resolution was referred with [C. F. No. 6,] to the Committee on roads, bridges, ferries and kanyons.

On motion of Councilor Young, the Council adjourned till 1 p. m. to-morrow.

Minutes read and accepted.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Dec. 27th, 1865, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood moved, that the Committee on Education be instructed to make enquiry of the parties concerned or otherwise in relation to the funds designed for educational purposes and report deficiencies if any and the cause thereof. Seconded and carried.

The minutes were called for, read and accepted.

On motion of Mr. Snow, the House adjourned till to-morrow at 1 p. m

Benediction by the Chaplain.

THURSDAY, DECEMBER 28, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Dec. 28, 1865, 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Cannon presented, bill of John D. T. McAllister, for services rendered as Territorial Marshal, also bill of F. T. Woolley, Deputy Marshal, for services rendered in Second District.

On motion of Councilor Young, the bills were referred to the committee on Claims and Appropriations.

Councilor L. Snow, Chairman of the committee on Roads, Bridges, Ferries, etc., to whom was referred, "An act to incorporate the Wasatch Wagon Road Company," reported the said bill, and recommended its passage.

On motion of Councilor Cannon, the report was accepted and the bill taken up on its second reading.

On motion of Councilor Harrington, the bill passed its second reading, and,

On motion of Councilor Cannon, was read the third time by its title and so passed, and was sent to the House for concurrence.

Councilor Young presented, bill of R. V. Morris, for services as clerk for committees on Irrigation and Postal Affairs, rendered after the close of the session of 1864-65.

On motion of Councilor Young, the bill was referred to the committee on Claims and Appropriations.

[C. F. No. 4.] "An act creating the office of Selectmen, and prescribing their duties, also the duties of the County Courts," was taken up on its second reading, and,

On motion of Councilor L. Snow, the said bill was referred to the committee on Counties.

Councilor L. Snow, Chairman of committee on Roads, Bridges, Ferries and Kanyons made the following report:

Your committee to whom has been referred a resolution by Council or E. Snow, with instructions to inquire into the expediency of making good thoroughfares leading to and from this Territory, paying the expenses out of the Territorial Treasury, and erecting thereon toll gates, the profits of which to accrue to the Territory, deem it unwise for this Territory, at the present time, to engage in such an enterprise.

On motion of Councilor Lyman, the report was accepted and the committee discharged from further consideration of the subject.

On motion of Councilor Richards, the committee on Claims and Appropriations were instructed to incorporate in the Territorial Appropriation bill the sum of fifteen hundred dollars, for the purpose of making a road from Circleville, in Piute county, up the West Fork of the Sevier river to the mouth of Bear creek, thence through Bear creek, and Little Creek canyon to Little Salt Lake valley.

Minutes read and accepted.

On motion of Councilor Benson, the Council adjourned until 1 p.m. to-morrow.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December, 28th, 1865, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

On motion of Mr. Callister, Hon. Charles C. Rich was elected Speaker pro tem.

Prayer by the Chaplain.

Mr. Smith presented, petition of Wm. W. Hammond and 56 others, citizens of Pangwitch, Iron county, praying for a county organization, which was read, and,

On motion of Mr. Rockwood, was referred to the committee on Counties.

The following was received from the Council and read:

The Council has this day passed the accompanying bill, [C. F. No. 5.] "An act defining the boundaries of Counties and locating County seats," which is respectfully submitted for the action of your honorable body.

Very respectfully,

GEO. A. SMITH, President of the Council.

Said bill was read, and,

On motion of Mr. Rockwood, laid on the table to come up in its order.

The following was received and read:

The accompanying bill, [C. F. No. 6.] "An act to incorporate the Wasatch Wagon Road Company," has passed the Council, and is respectfully forwarded for the action of your honorable body.

Very respectfully,

GEO. A. SMITH, President of the Council.

Said bill was read, and,

On motion of Mr. Rockwood, was referred to the committee on Roads, etc.

Mr. Jennings moved, that a committee be appointed to draft a bill entitled Mechanic Lien Law, for the protection of mechanics or others contracting or performing labor on building or other improvements. Seconded and carried.

The Speaker appointed the committee on Revenue to bring in said bill.

The minutes were called for, read and accepted.

On motion of Mr. Manghan, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

FRIDAY, DECEMBER 29, 1865.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
December, 29, 1865, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor E. Snow presented, a petition from A. P. Winsor and one hundred and thirty others, praying for an appropriation to improve the roads in Kane county, which was read, and,

On motion of Councilor L. Snow, was referred to the committee on Claims and Appropriations.

Councilor Hyde, Chairman of the committee on Counties, to whom was referred [C. F. No. 4.] "An act creating the office of Select men, and prescribing their duties, also the duties of the County Courts," reported back the same with amendments, and recommended its passage.

On motion of Councilor E. Snow, the bill passed its second reading as amended, and,

On motion of Councilor Benson, the bill passed its third reading by its title, and sent to the House for concurrence.

Councilor Richards presented, a petition from Surveyor-General Fox, praying for an appropriation to reimburse him for amount paid by him for balance due a Secretary for Surveyor-General's office, which was read, and,

On motion of Councilor Hyde, was referred to the committee on Claims and Appropriations, with instructions to insert the same in the Territorial Appropriation bill.

Minutes called for, which were read and accepted.

On motion of Councilor Young, the Council adjourned until 1 p.m. on Tuesday next, January 2d, 1866.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
December 29th, 1865, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

On motion of Mr. Maughan, Hon. Jonathan C. Wright was elected Speaker pro tem.

Prayer by the Chaplain.

Mr. Silas S. Smith presented, petition of A. S. Hadden and fifty-four others of Iron county, for an appropriation for road purposes, which was read, and,

On motion of Mr. Callister, referred to the committee on Roads, Bridges, Ferries, etc.

Mr. Hess, in behalf of committee on Revenue, to whom was referred the motion of Mr. Jennings, reported a bill providing for a Mechanics and Laborers Lien Law, which was read, and,

On motion of Mr. Jennings, sixty copies thereof was ordered to be printed for the use of the Assembly.

Mr. Maughan, Chairman of Committee on Elections, to whom was referred [H. F. No. 1.] "An act concerning Notaries Public for Tooele county," reported the accompanying bill as a substitute, entitled "An act concerning Notaries Public," said substitute bill was read, and,

On motion of Mr. Rich, the bill was laid on the table to come up in its order.

The following was received and read:

[C. F. No. 4.] "An act creating the office of Selectmen, and prescribing their duties, also the duties of the County Courts," has this day passed the Council, and is hereby sent to your honorable body for concurrence.

Very Respectfully,

GEO. A. SMITH, President of the Council.

Said bill was read the first time.

The following was received and read:

Your committee, to whom was referred the memorial to Congress for mail route from Manti to Grafton, via the settlements on the Sevier river, report the same as amended, and recommend its adoption,

C. C. RICH, Chairman.

Said memorial was read, and,

On motion of Mr. Maughan, was adopted.

Mr. Maughan presented, a bill for "An act to incorporate Logan City," which was read the first time.

On motion of Mr. Woolley, said bill passed its second reading.

Said bill was read the third time by its title.

The title was read and approved.

The following was received and read:

Your committee, to whom was referred the petition of W. W. Hammond and others, asking for the organization of a new County, beg leave to report that, in the district of country embraced in the petition, there is at present but one small settlement, and we do not consider it necessary to organize a new County in that region, therefore, your Committee ask that they be excused from further consideration of the subject, and recommend that the petitioners have leave to withdraw their petition.

Very respectfully,

THOS. CALLISTER,

Chairman of Committee on Counties.

On motion of Mr. Rich, the report was received and the committee discharge from the further consideration of the subject.

The minutes were called for, read and accepted.

On motion of Mr. Joseph F. Smith, the House adjourned till Wednesday, at 1 p.m.

Benediction by the Chaplain.

TUESDAY, JANUARY 2, 1866

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
January 2, 1866. }

Council met pursuant to adjournment.

Roll Called. Quorum present.

Prayer by the Chaplain.

The following was received from the House and read:

"The accompanying Memorial to Congress for mail route from Manti, Sanpete county, to Grafton, Kane county," has been adopted by the House, and is forwarded for your action thereon, also the accompanying bill, "An act to incorporate Logan City," has passed the House, and is respectfully submitted for your action thereon.

Very respectfully,

J. C. WRIGHT,

Speaker, pro tem.

On motion of Conciler Benson, the Memorial to Congress for mail route from Manti to Grafton, was referred to the committee on Postal Affairs.

"An act to incorporate Logan City," was taken up on its first reading, and,

On motion of Councilor Cannon, was read the second time by sections, and,

On motion of Councilor Richards, was read the third time by its title and so passed.

Minutes read and accepted.

On motion of Councilor Richards, the Council adjourned till 1 p. m. to-morrow.

Benediction by the Chaplain.

WEDNESDAY, JANUARY 3, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
January 3, 1866, 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following report of the Territorial Road Commissioner was read:

TO THE HON. THE LEGISLATIVE ASSEMBLY

OF THE TERRITORY OF UTAH:

GENTLEMEN:--According to the provision of law, I have the honor to report the amounts expended upon roads and bridges during the year, viz.:

For the road at the Point of Mountain	1000 00
" " between Spanish Fork and Thistle Creek Canyon	549 50
For the road in Salt Creek Canyon	250 00
" roads in Washington county	3368 83
" " between Toquerville and Grafton	1000 00
" " between Huntsville and Bear Lake	2711 50
" " North of Brigham city	500 00
" " between Ogden Valley and Paradise	500 00
" " from Box Elder to Wellsville	600 00
" " between S. L. city and Weber	134 50
Turning water of Weber river at Bridge, etc.	500 00
Repairing Jordan and Cottonwood bridge and State road	1016 06

Completing bridge across the Ogden river	500 00
Building bridge across Slough Spring	300 00
Repairing Sevier bridge	1000 00
Bridge across Hobbles creek	1000 00

Of the above amount, \$519 39 has been expended, for which no appropriation has yet been made, viz:

For amount paid for labor on Great Salt Lake City and Weber road	60 00
Amount of labor on account per A. P. Rockwood, Esq., Warden	74 50
Balance due for plank on Cottonwood bridge	16 06
Amount expended for roads in Washington county	368 83

Total, \$519 39

I respectfully ask that an appropriation be made to cancel that amount.

The Huntsville and Bear Lake road will require an additional appropriation for its completion and it will require a further outlay to turnpike the road each side of the bridge at the Slough Spring (Point of Mountain) to make it accessible during the wet season.

The road running through Big Canyon, Parley's Park and Silver Creek Canyon to the Weber river, the State road running west through G. S. L. City, across the Jordan bridge and the Ogden and Weber bridges each, also require an appropriation for repairs.

I respectfully suggest that an appropriation be made for the benefit of roads and bridges as a contingent fund, subject to the order of the Road Commissioner, to defray such expenses as may accrue during the year, for which no appropriations have been made.

Very respectfully,

THEODORE MCKEAN,

Territorial Road Commissioner.

Great Salt Lake City, Dec. 30th, 1865.

Councilor Benson, Chairman of the committee on Claims and Appropriations presented,

Claim of Patrick Lynch, for services as clerk, Third District Court, with recommendation that the amount claimed be inserted in the Territorial Appropriation Bill, and,

On motion of Counsellor Richards, the recommendation of the committee was adopted.

The following communication was received and read:

EXECUTIVE OFFICE, Utah,
December 27th, 1865.

HON. GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

The bill entitled, "An act defining the Judicial Districts for the Territory of Utah, prescribing the times and places of holding Supreme and District Courts, and assigning the Chief Justice and the two Associate Justices," I have this day approved and signed, and deposited in the office of the Secretary of the Territory.

Respectfully,

CHARLES DUBEE, Governor.

Councilor Richards, Chairman of the committee on Postal Affairs, presented the following:

Your committee on Postal Affairs, to whom was referred, Memorial to Congress for mail route from Manti, Sanpete county, to Graton, Kane county, respectfully submit that this Memorial only asks for one route, while several are desired, and ask leave to offer as substitute, the accompanying Memorial to Congress, for the establishment of certain mail routes.

Said Memorial was read, and,

On motion of Councilor E. Snow, was amended, and,

On motion of Councilor Cannon, was read the third time and adopted and sent to the House for their concurrence.

Minutes called for, read and accepted.

On motion of Councilor Woodruff, the Council adjourned until 10 a.m. to-morrow.

Benediction by the Chaplain.

—o—

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Jan. 3, 1866, 1 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

Called to order by the Speaker.

Prayer by the Chaplain.

The following was received and read:

EXECUTIVE OFFICE, G. S. L. City,
December 27th, 1865

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The bill entitled "An act to incorporate the Lehi Library Association," I have this day approved and signed, and deposited in the Office of the Secretary of the Territory.

Respectfully,

CHARLES DURKEE, Governor.

The following was received and read:

COUNCIL CHAMBERS, G. S. L. City,
January, 2d, 1866.

HON. SPEAKER AND MEMBERS OF THE

HOUSE OF REPRESENTATIVES:

GENTLEMEN:—"An act to Incorporate Logan City" has passed the Council and is herewith returned to your honorable body for engrossing.

Very Respectfully,

GEO. A. SMITH,

President of the Council.

The following was received and read:

EXECUTIVE OFFICE, U. T.,
January 2, 1866.

THE HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The bill entitled "An act to incorporate Tooele city" has been received at the Executive office, and after careful consideration, I am constrained to withhold my signature from the same.

I will state to you briefly some of the reasons why, in my opinion, the bill should not become a law.

In the second section, it is provided that the corporation may purchase, hold or sell real estate, both within and without its corporate limits. There is no limitation whatever to this power. The authority to thus deal in and hold real estate for other than necessary public uses, is entirely foreign to the proper objects of a municipal corporation, and is a power, by the improper exercise of which, could be created a most unjust and oppressive monopoly. While it is not at all probable that the good people of Tooele, in their corporate capacity, would so conduct themselves as to bring about such an unfortunate result, yet it is not wise for the legislature to create a power capable of such great abuse.

By the provisions of the 13th section the Mayor and Aldermen are made members of a species of municipal court, with jurisdiction over cases arising under the ordinances of the corporation.

There is an evident impropriety in any official body first enacting in one capacity laws or ordinances, and then in another capacity, sitting as a court for the construction or enforcement of such laws or ordinances. This is such a blending of the Legislative and Judicial departments of a government, as is at all times recognized as a most grave and serious evil.

Farther, it is provided by the Organic Act, that the Judicial power of the Territory shall be vested in a Supreme Court, District Courts, Probate Courts and Justices of the Peace. It would seem to me clear, that any action of the Legislature whereby courts, other than those named in the Organic Act were created, would be without authority and void. If this view be correct, and of it, as a legal proposition. I can entertain no doubt all decisions of a municipal or other court thus created, would be without binding force, and might ultimately lead to vexatious and expensive litigation.

I observe also that there is no limitation as to the amount of taxes which may be levied by the City Council. Such a limitation is prescribed by such of the other city charters heretofore granted as I have examined, and is, in my opinion, a wise and judicious provision.

CHARLES DURKEE,

Governor.

Mr. Rockwood presented, petition of Archibald Gardner for to be re-imbursed for timbers furnished for the Jordan bridge, situated between Gardner's Mill and the State Road, which was read, and,

On motion of Mr. Wright, referred to the committee on roads, bridges, &c., with instructions to confer with the Territorial Road Commissioner.

The following was received and read:

COMMITTEE ROOM, JAN. 3, 1866.

MR. SPEAKER AND GENTLEMEN OF THE

HOUSE OF REPRESENTATIVES:

Your committee, to whom was referred that portion of the Governor's Message "On memorializing Congress for school purposes" beg leave to introduce the accompanying memorial for the consideration of the House.

JOHN VAN COTT,

Chairman of Committee on Petitions and Memorials.

Said memorial was read, and referred back to the committee on petitions and memorials.

Mr. Johnson presented, petition of B. F. Stuart and seventy-seven others, citizens of Payson, Utah county, for the right to use one-sixth of the water of the Spanish Fork river, for irrigation purposes, which was read and.

On motion of Mr. West, referred to the committee on irrigation.

Mr. Kendall moved, that the committee on roads, bridges, &c., be instructed to take into consideration the propriety of expending the sum of two thousand dollars, or so much thereof as may be necessary to improve and repair the road and bridges in Lower Salt Creek kanyon.

Seconded and carried.

Mr. Murdock presented, petition of J. W. Witt and others, in Heber City, for an appropriation to build a bridge across Provo river, and for road purposes, which was read and,

On motion of Mr. Woolley, referred to the committee on claims and appropriations.

Mr. West presented, petition of stockholders of Ogden kanyon road company, for an amendment to their charter, which was read and,

On motion of Mr. Wright, referred to the committee on roads &c. (C. F. No. 5.) "An act defining the boundaries of counties and locating county seats" was taken up on its second reading and amended.

Said bill was read the third time as amended, and so passed, and sent to the Council for concurrence in the amendments.

Mr. Rowberry presented, a bill for an act to establish a Territorial road, which was read and,

On motion of Mr. Woolley, referred to the committee on roads, &c.

Mr. Rockwood presented, a bill for an act amending the seventh section of an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts, approved January 20, 1852, which was read, and laid on the table to come up in its order.

The following was received and read:

COUNCIL CHAMBER, G. S. L. City, Jan. 3, 1866.

HON. SPEAKER AND MEMBERS OF THE

HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The Council have substituted the accompanying memorial to Congress, for mail routes, &c. for House memorial on same subject.

Do you concur in its adoption.

Very Respectfully,
GEO. A. SMITH, President of the Council.

The Council have agreed on meeting hereafter at 10 a. m.

G. A. S.

Said substitute memorial to Congress for mail routes, &c., was read, and,

On motion of Mr. Farr, was referred to the committee on postal affairs.

The following was received and read:

TO THE HONORABLE SPEAKER

AND THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee on claims and appropriations, to whom was referred certain documents from the Auditor's Office, beg leave to report favorable thereon, and would recommend the following items to be placed on the appropriation bill to reimburse the Auditor for warrants drawn by him.

To repair and change the road between Tokerville, Washington Co. and Grafton, Kane Co. \$1000

To Seth M. Blair, for four years' services as Territorial Attorney General \$200

On account of Jordan Bridge and State Road \$16 06

By order of Territorial Commissioner.

Balance on account of secretary for Surveyor General's Office \$40 40
For stationery for the use of the Auditor's office, for the year 1865 \$80 00

For stationery for the Auditor's office, for the year 1866 \$67 25

To printing and binding order book, omitted in former bill \$10 00

To John Kay, for service as Deputy Marshal \$80 00

To John Sharp, for service as Deputy Marshal \$30 00

To purchase a secretary for Auditor's office \$136 00

On the 20th of January, 1860 there was an appropriation of one hundred and fifty dollars, to be expended by the Auditor for the purposes named; of this sum one hundred and thirty-six dollars has been paid, as contemplated, in the act leaving a balance of fourteen dollars on the books. To close the books, we recommend this fourteen dollars to be appropriated towards the secretary for the Auditor's office (\$14 00)

Very Respectfully,

CHARLES C. RICH, Chairman.

On motion of Mr. Farr, the report was accepted and the committee on claims and appropriations instructed to incorporate the sums named in the Territorial appropriation bill.

Mr. Rowberry presented, a bill for "An act in relation to Liens of Mechanics and others," which was read and referred to the committee on revenue.

The minutes were called for, read and accepted.

On motion of Mr. Snow, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

—o—

THURSDAY, JANUARY 4, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
January 4, 1866, 10 a.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication from the House was received and read:

The accompanying bill, [C. F. No. 5.] "An act defining the boundaries of Counties and locating County seats," has passed the House with the amendments to sections 6, 8, and 19, and an addition of section 24. Do you concur in these amendments?

Respectfully,

JOHN TAYLOR, Speaker of the House.

On motion of Councilor Benson, the amendments were concurred in and the House notified accordingly.

Councilor Richards presented, a bill of Great Salt Lake County, for use of rooms and fuel furnished for the use of the Third District Court, which was read, and,

On motion of Councilor Cannon, the bill was referred to the committee on Claims and appropriations.

Councilor Young presented, [C. F. No. 7.] "An act to incorporate the Deseret Irrigation and Navigation Canal Company," which was read, and,

On motion of Councilor Richards, was referred to the committee on Irrigation and Canals.

The President of the Council referred that portion of the Territorial Road Commissioner's report which relates to means expended and appropriated, to the committee on Claims and Appropriations, and that portion which relates to a contingent fund for road purposes, to the committee on Roads, Bridges, Ferries and Kanyons.

Minutes called for, read and accepted.

On motion of Councilor Young, the Council adjourned till 10 a. m. of to-morrow.

Benediction by the Chaplain.

—o—

HOUSE.

REPRESENTATIVES' HALL,
G. S. City, Jan. 4, 1866, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Callister presented, petition of John Kelly and 50 others, citizens of Millard, for an appropriation to improve Dog Canyon, which was read, and,

On motion of Mr. Rowberry, referred to the committee on Roads, etc.

Mr. Cox presented, petition of A. M. Farnsworth and 50 citizens of Beaver, for a city charter.

Said petition and city charter were read, and,

On motion of Mr. Maughan, referred to the committee on Incorporations.

On motion of Mr. Maughan, the House voted that a committee wait upon the Governor to confer with him in relation to his objections to the City Charter of Tooele.

The Speaker appointed Messrs. Maughan, Rich and Wright said committee.

Mr. Rich, in behalf of committee on Postal Affairs, to whom was referred Memorial to Congress for certain new postal routes, reported the same back with amendments, which was read, and,

On motion of Mr. Farr, referred back to the committee on Postal affairs.

Mr. Wright moved, that the committee on Claims and Appropriations be instructed to incorporate in the General Appropriation Bill the sum of five hundred dollars, (\$500) to be expended under the supervision of the Territorial Road Commissioner to improve the Territorial road north of Brigham City, in Box Elder county. Seconded and carried.

Mr. Peacock moved, that the committee on Claims and Appropriations be instructed to insert in the Territorial Appropriation Bill one thousand dollars, to assist in building a bridge and grading the banks of Six Mile creek, and otherwise making the road in a good passable condition between Six Mile creek and Twelve Mile creek, on the road between Manti and Gunnison, in Sanpete county. Seconded and carried.

●[C. F. No. 4.] "An act creating the office of Selectmen and prescribing their duties, also the duties of the County Courts," was taken up on its second reading, amended and passed.

Said bill was read the third time.

The title of said bill was read and approved.

On motion of Mr. Rich, the House adjourned till 2 p.m.

2 p.m.

The following was received and read:

COUNCIL CHAMBER,
G. S. L. City, Jan. 4th, 1866. }

HON SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The Council has concurred in your amendments to [C. F. No. 5.] "An act defining the boundaries of Counties and locating County seats."

Very Respectfully.

GEO. A. SMITH,
President of the Council.

The following was received and read:

The committee on Postal Affairs, to whom was referred Memorial to Congress, beg leave to report the accompanying Memorial as a substitute for the former.

C. C. RICH, Chairman.

Said substitute memorial was read, and

On motion of Mr. Snow, adopted.

[H. F. No. 9.] a bill for "An act concerning Notaries Public," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time by its title.

The title was read and approved.

Mr. Murdock moved, that the committee on Claims and Appropriations be instructed to incorporate in the Appropriation Bill the sum of four thousand dollars, to be expended on the road from G. S. L. City, through Big Canyon, to the Valley of the Weber river near Wanship, in Summit county.

On motion of Mr. Farr, the same was referred to the committee on Roads, etc.

[H. F. No. 12.] a bill for "An act amending seventh section of an act to provide for the appointment of a Territorial Treasurer and Auditor," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title of said bill was read and approved.

The following was received and read:

The committee on Roads, etc., to whom was referred the "Act granting unto Alvin Nichols and Wm. S. Godbe the right to erect a toll bridge across Bear river, in Box Elder county," beg leave to report the accompanying act and recommend its passage.

W. S. SNOW, Chairman.

Said bill was taken up and pending its second reading, sixty copies thereof ordered to be printed for the use of the Assembly.

The minutes were called for, read and accepted.

On motion of Mr. Rowberry, House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

FRIDAY, JANUARY 5, 1866.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 5th, 1866, 10 a.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received and read:

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 4, 1866. }

HON. THE PRESIDENT AND MEMBERS OF THE COUNCIL:

The House have amended the 13th section of [C. F. No. 4.] "An act creating the office of Selectmen and prescribing their duties, also the duties of the County Courts," and so passed the bill. Do you concur in the amendments?

Memorial to Congress for the establishment of certain mail routes, has been adopted and is sent for your concurrence.

A bill for "An act concerning Notaries Public," and a bill for "An act to amend the act providing for the appointment of a Territorial Treasurer and Auditor of Public Accounts," have passed, and are forwarded for your action.

Respectfully,

JOHN TAYLOR.

Speaker of the House of Representatives.

[C. F. No. 4.] "An act creating the office of Selectmen and prescribing their duties, also the duties of the County Courts," was taken up as amended, and,

On motion of Councilor Richards, the amendments were concurred in.

The Memorial for certain mail routes was taken up, and,

On motion of Councilor Benson, was referred to the committee on Postal Affairs.

"Act concerning Notaries Public," was taken up and read the first time, and,

On motion of Councilor Cannon, was read the second time by sections, and,

On motion of Councilor Young, was referred to the committee on Judiciary.

A bill for "An act to amend the act providing for the appointment of a Territorial Treasurer and Auditor of Public Accounts," was taken up on its first reading, and,

On motion of Councilor Cannon, was referred to the committee on Revenue.

Councilor Woodruff presented, report of the Desert Agricultural and Manufacturing Society, which was read, and,

On motion of Councilor Richards, was received and ordered to be spread on the minutes.

TO THE HONORABLE THE LEGISLATIVE ASSEMBLY OF THE
TERRITORY OF UTAH.

GENTLEMEN:—The labors of the Agricultural Society during the past year have been chiefly confined to raising pure seed in their gardens situated at the mouth of Emigration kanyon.

The high waters of last spring washed away the dam in Emigration kanyon, thereby depriving the gardens of water, at a time when many of the seeds required it the most. Water, however, was procured by erecting a new dam in time to save the sorghum crop, also the carrots, beets, radish and some of the onions which were planted for the production of seed. The amount raised of these, however, is considerably diminished, on account of the lack of water during the breaking of the dam and its reconstruction.

The Society planted the Imphee cane seed in eighteen hundred and sixty three and sixty four, which, although a good variety and very rich in saccharine matter, requires too long a season to come to maturity to adapt it for general cultivation in this Territory; and owing to the uncertainty of fully ripening the seed of that variety, the Society have experimented this year on the Sorghum received from the Patent Office this last spring, the seed of which will fully mature in any ordinary season. The experiments this year made at the gardens with the Sorghum, has resulted in producing one hundred gallons of fine clear syrup to the acre. There has been raised upwards of one thousand pounds of fine ripe seed, which, from the great deterioration of the seed now used, will doubtless be a great blessing to the Territory.

The Society have received several sacks of Agricultural reports for eighteen hundred and sixty-two, on receipt it was fondly anticipated they were the reports for eighteen hundred and sixty three, but these have not yet reached here, save five copies forwarded by the courtesy of Hon. Isaac Newton, Commissioner of Agriculture: those received have been mostly distributed to the leading Agriculturists and Horticulturists throughout the Territory.

Mr. L. S. Hemanway, of this city, having made experiments with the potatoe from seed, succeeded after several years in producing three varieties which he considers a valuable acquisition, not only for their excellence in flavor but their superiority in yield over any other variety known here. With these three varieties the Society experimented this year, and although their potatoe patch was infested with gophers the yield was extraordinary, but the Society cannot recommend for flavor any of Mr. Hemanway's varieties when compared with the meshanic, on other soils however the result might be

different. Experiments were also made with a potatoe introduced here by Mr. Staines, from New York, which promises well for table use and for an early variety.

Accompanying this report the financial exhibit for 1865 is respectfully submitted.

W. WOODRUFF,

President of the Deseret Agricultural and Manufacturing Society.

ROBERT L. CAMPBELL,

Secretary.

G. S. L. City, Jan. 5, 1866.

FINANCIAL EXHIBIT of Deseret Agricultural and Manufacturing Society for the year ending Dec. 1865.

	Dr.	Cr.
To amount realized from balance reported last year and from Deseret Gardens,	\$430 90½	
"amount received from Territorial Treasury,	875 00	
" " life membership, 10 00		
" " annual, 35 00		
	45 00	
By amount expended on Deseret Gardens		1021 29
" expenses		179 95
" expended on gardens at Old Fort		51 00
" of balance		98 66½
	1350 90½	1350 90½

PRODUCE ON HAND.

20 bushels beans at \$6,00 per bushel,	\$120 00
42 bushels seed potatoes at \$1,50 per bushel	63 00
Carrot, beet, onion and raddish seed	50 00
1000 pounds sugar cane seed	300 00
Total of produce estimated at	\$533 00

Respectfully submitted by

ROB. L. CAMPBELL,

Treasurer of the Deseret Agricultural and Manufacturing Society.

A communication was read from E. W. East, Esq., and referred to the members for Great Salt Lake County.

Council adjourned till 1-30 p. m.

1-30 p. m.

Council met pursuant to adjournment.
 Roll called. Quorum present.
 Council went into joint session.

[See Joint Session Minutes.]

On dissolution of Joint Session the Council resumed its session.
 Councilor Hyde, Chairman of Committee on Revenue made the following report.

Committee on Revenue respectfully report the following Act, and recommend its passage in lieu of the Act referred to this committee.

[C. F. No. 8.] "An Act amending An Act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts," was taken up on its first reading and,

On motion of Councilor Young, was referred to the Committee on Revenue.

On motion of Councilor Young, the Council adjourned until 10 a. m. to-morrow.

Minutes called for, read and accepted,
 Benediction by the Chaplain.

JOINT SESSION

REPRESENTATIVES' HALL,
 January 5, 1866. }

The Legislative Assembly met in Joint Session according to previous agreement.

The President of the Council presiding.

Roll of the Council called. Quorum present.

Roll of the House called. Quorum present.

Prayer by the Chaplain of the Council.

The President declared the Joint Session open and ready for the business before them of electing the officers elective by the joint vote of the Assembly.

On motion of Councilor Benson, Albert Carrington was elected Chancellor of the Desert University.

On motion of Councilor Harrington, Isaac Groo was elected a Regent of the University.

On motion of Councilor Benson, Geo. Q. Cannon was elected a Regent of the University.

On motion of Councilor L. Snow, G. W. Mousley was elected a Regent of the University.

On motion of Councilor Carrington, T. B. H. Stenhouse was elected a Regent of the University.

On motion of Councilor Richards, Carl G. Maeser was elected a Regent of the University.

On motion of Councilor Cannon, Joseph A. Young was elected a Regent of the University.

On motion of Councilor Woodruff, R. L. Campbell was elected a Regent of the University.

On motion of Councilor Lyman, Henry I. Doremus was elected a Regent of the University.

On motion of Mr. West, Wm. Eddington was elected a Regent of the University.

On motion of Councilor L. Snow, G. J. Taylor was elected a Regent of the University.

On motion of Councilor Woodruff, Joseph W. Young was elected a Regent of the University.

On motion of Councilor Woodruff, S. W. Richards was elected a Regent of the University.

On motion of Councilor Woodruff, Thomas W. Ellerbeck was elected Treasurer of the University.

On motion of Councilor Harrington, Robert L. Campbell was elected Superintendent of Common Schools.

On motion of Mr. West, David O. Calder was elected Territorial Treasurer.

On motion of Councilor Lyman, Wm. Clayton was elected Auditor of Public Accounts.

On motion of Councilor Richards, Theodore McKean was elected Territorial Road Commissioner.

On motion of Councilor L. Snow, John D. T. McAllister was elected Territorial marshal.

On motion of Councilor Woodruff, Albert Carrington was elected Attorney General.

On motion of Councilor Richards, Benjamin F. Stuard was elected District Attorney for the 1st Judicial District.

On motion of Councilor Benson, Angus M. Cannon was elected District Attorney for the 2d Judicial District.

On motion of Mr. West, J. W. Fox was elected Surveyor General.

On motion of Mr. Callister, William C. Staines was elected Librarian.

On motion of Mr. Maughan, Albert P. Rockwood was elected Warden of the Penitentiary.

On motion of Mr. Johnson, Frederick Kesler was elected Director of the Penitentiary.

On motion of Mr. Maughan, Reuben Miller was elected Director of the Penitentiary.

On motion of Mr. Johnson, Feramor Little was elected Director of the Penitentiary.

On motion of Mr. Callister, William Clayton was elected Recorder of Marks and Brands.

On motion of Mr. West, Nathan Davis was elected Sealer of Weights and Measures.

On motion of Councilor L. Snow, Anson P. Winsor was elected Probate Judge of Kane county.

On motion of Mr. Johnson, Sextus E. Johnson was elected Notary Public for Kane County.

On motion of Councilor E. Snow, James D. McCullough was elected Probate Judge for Washington county.

On motion of Councilor E. Snow, James G. Bleak was elected Notary Public for Washington county.

On motion of Councilor E. Snow, Joseph E. Johnson was elected Notary Public for Washington county.

On motion of Councilor E. Snow, John T. Geary was elected Notary Public for Washington county.

On motion of Councilor E. Snow, Joseph L. Heywood was elected Notary Public for Washington county.

On motion of Mr. Silas S. Smith, Jesse N. Smith was elected Probate Judge for Iron county.

On motion of Mr. Smith, Martain Slack was elected Notary Public for Iron county.

On motion of Mr. Cox, John R. Murdock was elected Probate Judge for Beaver county.

On motion of Mr. Cox, William Fotheringham was elected Notary Public for Beaver county.

On motion of Mr. Callister, Thomas R. King was elected Probate Judge for Millard county.

On motion of Councilor Lyman, Joseph V. Robinson was elected Notary Public for Millard county.

On motion of Mr. Callister, John W. Radford was elected Notary Public for Millard county.

On motion of Councilor Hyde, Edward Dolton was elected Probate Judge of Piute county.

On motion of Councilor Hyde, William J. Allred was elected Notary Public for Piute county.

On motion of Mr. Peacock, William Morrison was elected Probate Judge of Sevier county.

On motion of Mr. Peacock, R. W. Glen was elected Notary Public for Sevier county.

On motion Mr. Snow, George Peacock was elected Probate Judge of Sanpete county.

On motion of Mr. Snow, F. C. Robinson was elected Notary Public for Sanpete county.

On motion of Mr. Snow, John Kirkman was elected Notary Public for Sanpete county.

On motion of Mr. Kendall, Jacob G. Bigler was elected Probate Judge of Juab county.

On motion of Mr. Kendall, Thomas Ord was elected Notary Public for Juab county.

On motion of Councilor Johnson, Geo. W. Bean was elected Probate Judge for Utah county.

On motion of Councilor Harrington, John T. Hardy was elected Notary Public for Utah county.

On motion of Mr. Johnsen, Jacob F. Hutchinson was elected Notary Public for Utah county.

On motion of Councilor Harrington, Israel Evans was elected Notary Public for Utah county.

On motion of Mr. Murdock, John W. Witt was elected Probate Judge of Wasatch county.

On motion of Mr. Murdock, Thomas Giles was elected Notary Public for Wasatch county.

On motion of Councilor Cannon, Elias Smith was elected Probate Judge for Great Salt Lake county.

On motion of Councilor Carrington, John T. Caine was elected Notary public for Great Salt Lake county.

On motion of Councilor Benson, W. W. Phelps was elected Notary Public for Great Salt Lake county.

On motion of Councilor Lyman, Patrick Lynch was elected Notary Public for Great Salt Lake county.

On motion of Councilor Richards, Hector C. Haight was elected Probate Judge of Davis county.

On motion of Mr. Hess, Jacob Miller was elected Notary Public for Davis county.

On motion of Mr. West, Willard G. Smith was elected Probate Judge of Morgan county.

On motion of Mr. Peterson, John Boyden was elected Notary Public for Morgan county.

On motion of Mr. West, Aaron Farr was elected Probate Judge for Weber county.

On motion of Mr. Farr, William Critchelow was elected Notary Public for Weber county.

On motion of Mr. West, John Spires was elected Notary Public for Weber county.

On motion of Mr. Farr, Joseph Grover was elected Notary Public for Weber county.

On motion of Mr. Wright, Samuel Smith was elected Probate Judge for Box Elder county.

On motion of Mr. Wright, John Burt was elected Notary Public for Box Elder county.

On motion of Mr. Maughan, William Hyde was elected Probate Judge of Cache county.

On motion of Mr. Maughan, Henry Standage was elected Notary Public for Cache county.

On motion of Mr. Benson, James A. Leishman was elected Notary Public for Cache county.

On motion of Councilor Benson, John Rowberry was elected Probate Judge of Tooele county.

On motion of Mr. Rowberry, Lysander Gee was elected Notary Public for Tooele county.

On motion of Mr. Cluff, George G. Snyder was elected Probate Judge of Summit county.

On motion of Mr. Cluff, H. W. Brizzee was elected Notary Public for Summit county.

On motion of Mr. Cluff, William A. Carter was elected Probate Judge of Green River county.

On motion of Councilor Benson, William A. Carter was elected Notary Public for Green River county.

On motion of Mr. Rich, Preston Thomas was elected Probate Judge of Richland county.

On motion of Mr. Rich, Richard R. Hopkins was elected Notary Public for Richland county.

Minutes were called for, read and accepted.

Joint Session dissolved.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 5th, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Johnson, chairman of committee on revenue, to whom was referred "An act in relation to Liens," reported the same back, and recommended the printing thereof.

Seconded and carried.

A message was received from the Council, announcing their concurrence in the amendments of the House to (C. F. No. 4.) "An act creating the office of selectmen and prescribing their duties, also the duties of the county courts."

Mr. Evans moved, that "An act granting to Charles Hopkins and others, the right to build a bridge across the Jordan river, approved Jan. 21, 1853," be repealed.

Said motion of Mr. Evans was referred to the committee on roads.

On motion the House adjourned till 1 p. m.

1 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

The Assembly went into Joint Session.

[See Joint Session Minutes.]

On dissolution of the Joint Session the House resumed its session.

Mr. Peacock presented, communication of A. M. Musser, Esq., suggesting improvements on the public roads, which was read, and,

On motion of Mr. Rich, referred to the committee on roads, &c.

The minutes were called for read and accepted.

On motion of Mr. Van Cott, the House adjourned till Monday at 10 a. m.

Benediction by the Chaplain.

SATURDAY, JANUARY 6, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
January 6, 1866, 10 a. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

A communication from S. M. Blair, to the D. A. & M. Society was read, and,

On motion of Councilor Benson, was referred to the committee on agriculture, trade and manufactures.

The following was received and read:

MAYOR'S OFFICE, G. S. L. City, }
January 6th, 1866. }

HON. GEORGE A. SMITH, PRESIDENT OF THE COUNCIL OF THE
LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH:

SIR:—I have the honor to inform you that the New City Building will be dedicated on Monday next, the 8th inst., at precisely 11 o'clock, a. m., at which time, yourself and as many of your Honorable Body as feel disposed are respectfully invited to attend at the New Council Chamber, and participate in the services of the occasion.

Your Obedient Servant,

A. O. SMOOT.

On motion of Councilor Benson, the Council adjourned till Tuesday the 9th inst., at 1 p. m.

Benediction by the Chaplain.

MONDAY, JANUARY 8, 1866

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 8, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rich, chairman of committee on claims and appropriations, to whom was referred the petition of Jacob Gates and three hundred and ninety-nine others, for an appropriation of nine thousand dollars for road purposes, recommended that the same be placed in the territorial appropriation bill. Pending the consideration of which the house adjourned till 2 p.m.

2 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

The petition of Jacob Gates and others, for appropriation, pending the consideration of which the House adjourned, was again taken up, and,

On motion, referred.

[H. F. No. 5.] "An act granting unto Alvin Nichols and Wm. S. Godbe the right to establish a toll bridge across Bear river, in Box Elder county," was taken up and read the second time and amended.

Said bill was read the third time by its title.

The title of said bill was read and approved.

The minutes were called for, read and accepted.

On motion of Mr. Rowberry, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

—o—
TUESDAY, JANUARY, 9, 1866.

—
COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Jan. 9, 1866, 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House and read:

The enclosed bill [H. F. No. 5.] "An act granting unto Alvin Nichols and Wm. S. Godbe, the right to establish a toll bridge

across Bear river, in Box Elder county," has passed the House, and is sent for your concurrence.

Very respectfully,

JOHN TAYLOR,

[H. F. No. 5.] "An act granting unto Alvin Nichols and Wm. S. Godbe, the right to establish a toll bridge across Bear river, in Box Elder county," was taken up and read the first time, and,

On motion of Councilor Young, was read the second time by sections, and,

On motion of Councilor L. Snow, was referred to the committee on roads, bridges, ferries and kanyons.

The following communication was received and read:

EXECUTIVE OFFICE, Utah,

January 7th, 1866. }

HONORABLE GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

The bill entitled "An act creating the office of selectmen, and prescribing their duties, also the duties of the county courts," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

CHARLES DURKEE, GOVERNOR.

Councilor E. Snow, in behalf of the committee on irrigation and canals, to whom was referred "An act to incorporate the Deseret irrigation and navigation canal company," reported said bill back amended in the 13th section, and recommended its passage as amended.

On motion of Councilor Young, the report was received and the bill laid on the table to come up in its order.

Councilor Woodruff, chairman of the committee on agriculture, trade and manufactures, made the following report, viz:

Your committee on agriculture, trade and manufactures, to whom was referred [C. F. No. 2.] "An act for the relief of the Recorder of Marks and Brands," with instructions to amend the present law in relation to marks and brands, beg leave to report the following substitute for the bill in question, and recommend its passage.

On motion of Councilor Richards, the report was accepted, and the bill laid on the table to come up in its order.

On motion of Councilor Young, the Council adjourned until 10 a. m. to-morrow.

Minutes called for, read and accepted.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City.

Jan. 9th, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Cluff moved, that the Committee on claims and appropriations be instructed to incorporate the sum of two thousand dollars in the Territorial Appropriation Bill to improve the road via Chalk creek to Fort Bridger, which was read, and,

On motion of Mr. Rowberry, referred to the Committee on Roads, Bridges etc.

The following was received and read:

Your Committee to whom was referred the motion of Mr. Evans in relation to the repealing an act granting unto Charles Hopkins and others the right to build a bridge across the Jordan river: Approved January 21, 1853.

Beg leave to report the accompanying Act and recommend its passage.

W. S. SNOW,

Chairman of Committee on Roads, Bridges, Ferries, etc.

Said bill was read and laid on the table to come up in its order.

Mr. Snow, Chairman of Committee, to whom was referred, an act repealing an act Incorporating the Weber Kanyon Road Company, reported the same back and recommended the passage thereof.

Said bill was read and ordered to be laid on the table to come up in its order.

Mr. Snow, Chairman of Committee to whom was referred an act to establish a Territorial Road from Tooele city to Deseret city reported the same back and recommended the passage thereof.

Said bill was laid on the table to come up in its order.

Mr. Snow, Chairman of Committee on Roads, etc., to whom was referred "An Act to Incorporate the Wasatch Wagon Road Company," reported the same back and recommended the passage thereof.

Said bill was read, and,

On motion of Mr. J. F. Smith sixty copies thereof ordered to be printed.

The following was received and read:

Mr. West moved, that the Committee on Claims and Appropriations be instructed to incorporate in the Territorial Appropriation bill, the sum of one hundred and fifty dollars to reimburse Edward Stratton for a portion of his farm which he permitted to be used for the location of a portion of the Territorial Road in Weber county, near where the Weber river had washed away the old road.

Seconded and carried.

The following was received and read:

TO THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:

Your Committee to whom was referred the reports of the Warden and Directors of the Penitentiary, beg leave to report that we have duly considered the reports and other matters appertaining to the Penitentiary and report the following condition of finances:

We find by the Territorial Treasurer's report that the Treasurer of the United States has deposited in the Territorial Treasury eight thousand three hundred and sixty-three dollars for repairs and completion of the Penitentiary. Auditor's warrants have been issued to pay for repairs on the Penitentiary to the year 1865, amounting to \$1061,16, for which sum the Territory should be reimbursed and on appropriations to defray expence of repairs for 1865, etc., \$149,50; leaving U. S. deposits unexpended \$7152,34, which sum we recommend to be expended as soon as possible in further repairs and completion of Penitentiary, by the inspectors thereof.

We recommend the sum of seventy-four dollars and fifty cents be appropriated to reimburse the Warden for labor of convicts on road. We also find that the Auditor has issued orders on the Treasury for two thousand dollars over last session's Appropriation, for which we recommend an Appropriation, and the further sum of three thousand dollars to defray expenses of the present year. We recommend the passage of a resolution authorizing the Warden to cancel the unsettled account of Alex. McRae of one hundred and fifty dollars.

EDWIN D. WOOLLEY,

Chairman.

Mr. Woolley, Chairman of Committee on Penitentiary, reported accompanying resolution which was read and laid on the table to come up in its order.

The following was received and read:

Your committee to whom was referred, House file No. 6, "An act

regulating estray pounds, and for other purposes," would respectfully ask leave to report back said bill with amendments.

Very respectfully,

LORIN FARR,

Chairman of Committee on Judiciary.

Said bill was read and laid on the table to come up in its order.

Mr. Farr, chairman of committee on judiciary, to whom was referred [H. F. No. 6.] "An act regulating estray pounds, and for other purposes," reported back said bill with amendments, which was read, and laid on the table to come up in its order.

Mr. Snow, chairman of committee on roads, &c., to whom was referred the petition of A. S. Hadden and fifty-three others, for an appropriation of one thousand dollars to be expended on the road up Little Creek kanyon, Iron county, recommended that the same be placed on the Territorial appropriation bill, which was read and laid on the table to come up in its order.

Mr. Maughan moved, that the committee on claims and appropriations be instructed to incorporate the sum of two thousand dollars, in the Territorial appropriation bill; to be expended by the Territorial road commissioner, on the road leading from Huntsville, Weber county to Ithica, Richland county, which was referred to the committee on roads, bridges, &c.

On motion of Mr. Jennings, the House adjourned till 2 p. m.

2 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

Mr. Evans reported, a bill for an act establishing a toll road, leading from G. S. L. City to Weber river valley, in Summit county, through Big kanyon, Parley's Park and Silver creek kanyon, which was read and laid on the table to come up in its order.

The following were received and read:

Your committee on Library, respectfully submit the report of the Territorial Librarian, and recommend its acceptance.

Respectfully,

JOHN W. HESS, Chairman.

LIBRARY ROOMS, G. S. L. City, }

January 3, 1866. }

TO THE HONORABLE COUNCIL AND COMMITTEE OF THE
HOUSE OF REPRESENTATIVES ON PUBLIC LIBRARY:

GENTLEMEN:—I submit to your inspection the list of books in the Utah Library.

Books out on loan from 1863-4 and 5	248
Numbers on old books, expunged	94
Books in the Binders hands for repair	200
Total number	6239

Maps, globes, busts, etc., remain as per report for 1865.

Gentlemen, you will see by this that the Library, having no augmentation of books during the past year, (except a few Public Documents received from Secretary's office) it remains nearly in the same state as per report of last Session.

No portion of your appropriation for 1865 has been required for incidental expences, as the furnishing of stove, fuel, fitting up, etc., has been done through the Hon. Secretary Reed. He also proposes repairing all the books now in the Binders hands, as well as these worn volumes in the Library.

Yours, Respectfully, to command,

WM. C. STAINES, Librarian, Utah Library.

Mr. Pace presented, petition of Wm. Miller and one hundred and two citizens of Provo city, for further appropriations for bridging Provo river, which was read, and,

On motion of Mr. Rowbery, referred to the committee on roads, etc.

The following was received and read:

Your committee, to whom was referred that portion of the Governor's Message relating to the Utah Library, beg leave to report the accompanying memorial to Congress, and recommend its passage.

Very Respectfully,

JOHN W. HESS, Chairman.

Said memorial was read and adopted.

A bill for \$403 79, expense of hauling rock that were used to save the Territorial bridge across Weber river, by John Taylor, of G. S. L. City, was read, and,

On motion of Mr. West, the committee on Claims and Appropriations were instructed to incorporate the same in the Territorial appropriation bill.

[H. F. No. 7.] "An act repealing an act incorporating the Weber Canyon Road Company, was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title of said bill was read and approved.

Mr. Snow, Chairman of committee on Roads, etc., to whom was referred the motion of Hon. Mr. Kendall, asking for an appropriation

tion of two thousand dollars (\$2,000) to complete the road through Lower Salt Creek canyon, in Juab County, recommended that the committee on Claims and Appropriations insert in the Territorial appropriation bill the sum of one thousand dollars (1,000) to further improve said road.

The report was accepted, and the committee on Claims and Appropriations instructed accordingly.

[H. F. No. 15] "An act repealing an act granting unto Charles Hopkins and others, the right to build a bridge across the River Jordan," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title of the same was read and approved.

A bill for "An act to establish a Territorial road from Tooele City to Deseret City," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title of said bill was read and approved.

The minutes were called for, read and accepted.

On motion of Mr. Maughan, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

WEDNESDAY, JANUARY 10, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
January, 10, 1866, 10 a. m. }

Council met pursuant to adjournment.

Roll Called. Quorum present.

Prayer by the Chaplain.

The following communication from the House was received and read.

The enclosed "Memorial to Congress for an appropriation to increase the Utah Library," has been adopted by the House and is sent for your concurrence.

The House have passed [H. F. No. 7.] "An act repealing an act incorporating the Weber Canyon Road Company." [H. F. No. 15.] "An act repealing an act granting unto Charles Hopkins and others

the right to build a bridge across the river Jordan," and [H. F. No. 11,] "An act to establish a Territorial road from Tooele city to Deseret city," which are sent for your action thereon.

Very Respectfully,

JOHN TAYLOR, Speaker.

The "House "Memorial to Congress for an appropriation to increase the Utah Library," was read, and,

On motion of Councilor Benson, was referred to the Committee on Library.

[H. F. No. 7,] "An act repealing an act incorporating the Weber Canyon Road Company," was read, and,

On motion of Councilor Richards, was referred to the Committee on Roads, Bridges, Ferries and Kanyons.

[H. F. No. 15,] "An act repealing an act granting unto Charles Hopkins and others, the right to build a bridge across the river Jordan" was read, and,

On motion of Councilor Cannon, was referred to the Committee on Roads, Bridges, Ferries and Kanyons.

[H. F. No. 11,] "An act to establish a Territorial road from Tooele City, Tooele county to Deseret City," was read, and,

On motion of Councilor Richards was laid on the table to come up in its order.

[C. F. No. 7,] "An act to incorporate the Deseret Irrigation and Navigation Company," was taken up and read the first time, and,

On motion of Councilor Young was read the second time by sections, and,

On motion of Councilor Benson, one hundred copies of the bill were ordered to be printed in open lines.

[C. F. No. 9,] "An act in relation to Marks and Brands," was read the first time, and,

On motion of Councilor Cannon, one hundred copies of the bill, in open lines, was ordered to be printed.

[H. F. No. 11,] "An act to establish a Territorial Road from Tooele City, Tooele County, to Deseret City," was taken up and read, the first time, and,

On motion of Councilor Young, was read the second time, and amended, and,

On motion of Councilor Cannon, was referred to Councilor E. Snow as a special Committee.

Councilor Young presented, a communication on Railroads, which was read, and,

On motion of Councilor Young, was referred to the Committee on Judiciary.

Councilor Carrington, presented [C. F. No. 10.] "An act authorizing the Attorney General, and District Attorneys, to appoint Deputies," which was read the first time and laid on the table to come up in its order.

The following was received and read:

REPRESENTATIVES' HALL, G. S. L. City, Jan. 10, 1886.

HON. THE PRESIDENT

AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The house of Representatives have passed. [H. F. No. 16.] "Resolution in relation to repairing and finishing the Penitentiary and settling the account of Alexander McRae.

[H. F. No. 6.] "An act regulating Estray Pounds and for other purposes," and,

[H. F. No. 18.] "An act to amend certain city charters," which are herewith sent for the action of your honorable body.

Very Respectfully,

JOHN TAYLOR, Speaker.

Adjourned till 2 p. m.

2 p. m.

Council resumed its session.

Roll called. Quorum present.

[C. F. No. 10.] "An act authorizing the Attorney General and District Attorneys to appoint Deputies," was taken up on its second reading, and,

On motion of Councilor Young, the bill passed its second reading and,

On motion of Councilor Richards, passed its third reading by its title and was sent to the House for concurrence.

[H. F. 16.] "A resolution in relation to repairing and finishing the Penitentiary and settling the account of Alex. McRae," was taken up on its first reading, and,

On motion of Councilor Young, was referred to the Committee on Judiciary.

[H. F. No. 18.] "An act to amend certain City Charters," was taken up on its first reading, and,

On motion of Councilor Young, was concurred in.

[H. F. 6.] "An act regulating Estray Pounds and for other purposes," was taken up on its first reading, and,

On motion of Councilor Harrington the bill was taken up on its second reading by sections, and,

On motion of Councilor Cannon, one hundred copies of the bill was ordered to be printed in open lines.

The following was received and read:

EXECUTIVE OFFICE, Utah,
Jan. 10th, 1866.

HON. GEORGE A. SMITH,

President of the Council:

The bill entitled "An act defining the boundaries of Counties, and locating County Seats," I have this day approved, signed, and deposited in the Office of the Secretary of the Territory.

CHARLES DURKEE,
Governor,

On motion of Councilor Cannon, the Council adjourned until 10 a. m. to-morrow.

Minutes called for, read and accepted.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, U. T., Jan. 10, 1866, 10 a. m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Pace presented, petition of Abraham Shaw and sixty others, citizens of Provo, praying for further legislation on irrigation, which was read, and,

On motion of Mr. Farr, referred to the committee on Irrigation.

Mr. Farr presented, a bill for "An act to amend certain City charters," which was read, and,

On motion of Mr. Rowberry, referred to the committee on Incorporations.

Mr. Rockwood presented, a bill for "An act providing for the collection of certain kinds of debts therein mentioned," which was read, and,

On motion of Mr. Johnson, referred to the committee on Judiciary. Resolution in relation to repairing and finishing the Penitentiary and settling accounts, was taken up and read the first time.

Said resolution was read the second time.

Said resolution was read the third time by its title and so passed.
The title was read and approved.

[H. F. No. 6.] "An act regulating Estray Pounds and for other purposes," was taken up and read the first time.

Said bill was read the second time and amended.

Said bill was read the third time by its title and so passed.

The title was read and approved.

The following was received and read:

MR. SPEAKER AND MEMBERS OF THE

HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee to whom was referred [H. F. No. 18.] "An act to amend certain City charters therein named," respectfully report back said act without amendment, and recommend its passage.

Very respectfully,

J. C. WRIGHT, Chairman.

Said bill, [H. F. No. 18.] "An act to amend certain City Charters," was read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title thereof was read and approved.

The following was received and read:

HON. JOHN TAYLOR, SPEAKER, AND

MEMBERS OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred the petition of A. M. Farnsworth and ninety-eight others, praying for a charter to incorporate Beaver City, in Beaver County, having duly considered said petition and accompanying documents, respectfully report back the accompanying bill, entitled "An act to incorporate Beaver City," and recommend its passage.

Very Respectfully,

J. C. WRIGHT, Chairman.

On motion of Mr. Rich, the report was received and the bill laid on the table to come up in its order.

On motion of Mr. Callister, the House adjourned till 2 p.m.

2 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll Called. Quorum present.

Mr. West moved, that the committee on Claims and Appropria-

tions be instructed to incorporate the sum of six thousand dollars to build a bridge across the Ogden river on the Territorial road in Weber county. Seconded and carried.

A bill for "An act to incorporate Beaver City," was taken up on its second reading and amended, and so passed.

Said bill was read the third time by its title.

The title of the same was read and approved.

The following message was received and read:

The enclosed bill, [C. F. No. 10.] "An Act authorizing the Attorney-General and District Attorneys to appoint Deputies," has this day passed the Council, and is hereby sent to your honorable body for action. Very respectfully,

Geo. A. Smith, President of the Council.

Said bill was read and laid on the table to come up in its order.

The following was received and read:

Your committee, to whom was referred the petition of J. W. Kelley and 44 others, praying for an appropriation of five hundred dollars (\$500) for the improvement of the Territorial and County road in Dog Kanyon, Millard county, beg leave to report back the accompanying petition and recommend the sum of five hundred dollars be placed in the Territorial Appropriation Bill.

W. S. Snow, Chairman.

On motion of Mr. Peacock, the report was received and the commendation of the committee adopted.

The following was received and read:

GENTLEMEN:—The Council has this day concurred in [M. F. No. 18.] "An act to amend certain City Charters."

Very respectfully,

Geo. A. Smith, President of the Council.

On motion of Mr. Woolley, the committee on Claims and Appropriations were instructed to incorporate the following sums in the Territorial Appropriation Bill, to be expended as follows:

On the road from St. George to Old Harmony,	\$5000 00
On the road from St. George to Pine Valley,	\$1000 00
On the road from St. George to Beaver Dam,	\$1000 00
On the road in Little creek, in Bear Valley kanyon, Iron county,	\$1000 00

The minutes were called for, read and accepted.

On motion of Mr. Rowberry, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 11, 1866.

COUNCIL.

COUNCIL CHAMBER,

G. S. L. City, Jan. 11th, 1866, 10 a.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication from the House, was received and read:

The House of Representatives have passed [H. F. No. 14.] "An act to incorporate Beaver city," which is now sent for the action of your Honorable body.

JOHN TAYLOR, Speaker.

Councillor Cannon presented, petitions and account of Surveyor-General Fox, which were read, and,

On motion of Councillor Cannon, one petition was referred to the Committee on Judiciary, and the other petition and account to the Committee on Claims and Appropriations, with instructions to have the said amount inserted in the Territorial Appropriation bill.

Councillor Johnson presented, a petition from George W. Wilkins, and seventy-seven others, citizens of Spanish Fork city, Utah county, praying for an Appropriation to build a bridge across Spanish Fork river, which was read and,

On motion of Councillor L. Snow, was referred to the Committee on Claims and appropriations, with instructions to insert the amount prayed for in the Territorial Appropriation bill.

[H. F. No. 14.] "An act to incorporate Beaver City," was taken up on its first reading, and,

On motion of Councillor Young was referred to the Committee on Corporations.

Councillor Richards, Chairman of Committee on Postal Affairs, presented the following, which was read.

Your Committee on Postal Affairs, to whom was referred "Memorial to Congress for the establishment of certain Mail Routes," respectfully report the same back with amendment by the addition of another mail route and recommend its adoption.

On motion of Councillor Benson, the report was accepted, and the Memorial adopted, as amended, and sent to the House for their concurrence in the amendment.

On motion of Councillor Harrington, Patrick Lynch was instructed

ted and authorized to compile a series of Legal Forms for the use of this Territory to be printed with the revised laws..

Councilor Hyde presented, a petition from G. W. Bradley and fifty-three others, citizens of Moroni, Sanpete county, praying for a City Charter, which was read, and;

On motion of Councilor E. Snow, referred to the Committee on Corporations.

Councilor L. Snow, Chairman of Committee on Roads, Bridges, etc., presented the following, viz: "Your Committee on Roads, Bridges, etc., to whom was referred [H. F. No. 15.] "An act repealing an act granting unto Charles Hopkins and others the right to build a bridge across the river Jordan," return the same with recommendation of concurrence. Said bill was read, and,

On motion of Councilor E. Snow, the report of the Committee was accepted, and the bill concurred in.

Councilor E. Snow, presented petition from Citizens of Kane and Washington counties, praying for an appropriation of Delinquent Territorial taxes, and the taxes for 1866, for road purposes in said counties, which was read, and,

On motion of Councilor L. Snow, referred to the Committee on Revenue.

Councilor L. Snow, Chairman of Committee on Roads, Bridges, etc., presented the following, viz: Your committee, to whom was referred [H. F.] "An act granting unto Alvin Nichols and William S. Godbe, the right to establish a toll bridge across Bear River in Box Elder county" submit for your consideration a substitute for aforesaid bill, which was read, and,

On motion of Councilor E. Snow, was ordered to be laid on the table to come up in its order.

[C. F. 9.] "An act in relation to Marks and Brands," was taken up on its second reading by sections pending which, Councilor Carrington presented the following motion.

That a committee of one be appointed to act in concert with a committee from the House, to examine and compare the Auditor's books, duplicates of warrants and reports, and the Territorial Treasurer's books and redeemed Auditor's warrants, in each case back to date of last official examination, destroy the redeemed warrants, so far as found correct, and report their doings in the premises, during the present session.

On motion of Councilor Richards, the Council adjourned until 2 p.m.

Council, 2 p.m.

The Council resumed its session.

[C. F. No. 9.] "An act in relation to Marks and Brands," was again taken up and its second reading continued. During the reading of this bill.

The following communication was received from the House and read:

The House have appointed Messrs. Rich, Jennings and Rockwood a committee, to act with a like committee from the Council, in the examination of the Territorial Treasurer's books, to make such disposition of the redeemed Auditor's warrants, as they may deem proper.

Said committee are also appointed to investigate, in conjunction with a committee from the Council, a communication from the Auditor of Public Accounts.

The House have concurred in your amendment to Memorial for certain mail routes, and have passed with amendments, [C. F. No. 6.] "An act to incorporate the Wasatch Wagon Road Company." Do you concur in the amendments?

Respectfully, etc.,

JOHN TAYLOR, Speaker.

[C. F. No. 9.] passed its second reading, and,

On motion of Councilor Richards, passed its third reading by its title and sent to the House for concurrence.

Councilor Hyde, Chairman of committee on Revenue, reported back [C. F. No. 8.] "An act to amend an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts," and recommended its passage, which was laid on the table to come up in its order.

On motion of Councilor Benson, the Council adjourned until half-past six p.m.

6:30 p. m.

Council resumed its session.

[C. F. No. 7.] "An act to incorporate the Deseret Irrigation, Navigation and Canal Company," was taken up on its first reading; and was read the second time by sections, and,

On motion of Councilor Woodruff, was read the third time by its title and so passed, and was sent to the House for concurrence.

[C. F. No. 12.] "An act to incorporate the City of Moroni, in Sanpete county," was presented by Councilor Hyde, and was read the first time, and was read the second time by sections, and,

On motion of Councilor Cannon, the bill passed its third reading by its title, and was sent to the House for concurrence.

Councilor Young presented, [C. F. 13.] "An act to amend an act consolidating and amending the School Laws," Approved Jan. 18th, 1865, which was read the first time, and,

On motion of Councilor E. Snow, was laid on the table until called for.

The following communication was received from the House, which was read:

The House of Representatives have passed [H. F. 20.] "An act to amend an act to incorporate the City of Lehi," also "An act in relation to Liens of Mechanics and others," and forward the same for the action of the Council.

JOHN TAYLOR, Speaker.

[H. F. No. 20.] "An act to amend an act to incorporate the city of Lehi," was taken up on its first reading, and,

On motion of Councilor L. Snow, was referred to the Committee on Corporations. [H. F. No. 13.] "An act in relation to Liens of Mechanics and others," was taken up on its first reading, and,

On motion of Councilor Young, passed its first reading.

On motion of Councilor Benson, the Council adjourned until 10 a. m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 11th, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A communication from the Auditor of Public Accounts was read in relation to certain accounts which have remained open on his books, which,

On motion of Mr. Rockwood, was referred to a committee to act with a like committee from the Council in relation thereto. Said joint committee were also authorized to examine the Territorial Treasurer's account and dispose of the redeemed auditor's warrants.

The Speaker appointed Messrs. Rich, Jennings and Rockwood said committee on the part of the House.

[C. F. No. 6.] "An act to incorporate the Wasatch Wagon Road Company," was read the first time.

Said bill was read the second time and amended.

Said bill was read the third time.

The title was read and approved.

A message was received from the Council announcing their amendment and concurrence in House memorial to Congress for certain mail routes.

The Council amendment to said memorial was concurred in.

Mr. Callister presented, petition of Silas Smith and 113 others, praying for appropriation for road purposes, which was read, and referred to the committee on roads, &c.

Mr. Peacock presented, petition of Mr. Morrison and 115 citizens of Sevier county, praying for an appropriation for the construction of a bridge across Sevier river, which was read, and referred to the committee on roads, &c.

Mr. Evans had leave to withdraw [H. F. No. 17.] "An act to establish a toll road leading from G. S. L. City to Weber river valley.

On motion, the House adjourned till 2 p. m.

2 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

Mr. Evans presented, "a bill for an act to amend an act to incorporate the City of Lehi," which was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title and so passed.

The title of said bill was read and approved.

Mr. Rockwood presented, the report of the Deseret Agricultural and Manufacturing Society on irrigation and kindred statistics, with extended tables, as accompanying documents. Said report was read, and,

On motion of Mr. Rockwood, a committee was appointed to bring in a joint resolution in relation to said report.

The Speaker appointed Mr. Rockwood said committee.

[C. F. No. 10.] "An act authorizing the Attorney General and District Attorneys to appoint deputies," was taken up, read the first time and referred to the committee on judiciary.

[H. F. No. 13,] "An act in relation to liens of mechanics and others," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title of the same was read and approved.

Mr. Jennings presented, a petition for an appropriation for the sums of \$8000 and \$5000, to be expended on roads in G. S. L. county, which was read and referred to the committee on Roads, etc.

The following was received and read:

Your committee, to whom was referred the petition of Chauncey W. West and 83 others, to amend "An act entitled an act to incorporate the Ogden Road Company, in Weber county," beg leave to report back the accompanying act and recommend its passage.

W. S. SNOW, Chairman.

Said bill was read and laid on the table to come up in its order.

Mr. Maughan presented, a bill for "An act to incorporate the Logan Canyon Road Company," which was read the first time.

The minutes were called for, read and accepted.

On motion of Mr. Van Cott, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

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FRIDAY, JANUARY 12, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
January 12, 1866, 10 a. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

(H. F. No. 13.) "An act in relation to liens of mechanics and others," was taken up on its second reading, and,

On motion of Councilor L. Snow, was referred to the committee on judiciary.

(C. F. No. 11.) "An act granting unto Alvin Nichols and William S. Godbe, the right to build a bridge across Bear river, in Box Elder county," was taken up on its first reading.

On motion of Councilor Benson, was read the second time by sections, and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed, and was sent to the House for concurrence.

On motion of Councilor Hyde, the committee on claims and appropriations were instructed to incorporate in the Territorial appropriation bill, the sum of five hundred dollars, to improve the road in Salt Creek kanyon, in Juab county.

Councilor E. Snow presented, (C. F. No. 14.) "An act to provide for locating and opening certain Territorial roads, which was read, and,

On motion of Councilor E. Snow, was laid on the table to come up in its order.

The following was received from the House:

(C. F. No. 7.) "An act to incorporate the Deseret irrigation and navigation canal company," and,

(C. F. No. 12.) "An act to incorporate the City of Moroni, in Sanpete county," with amendments in the latter, have passed the House.

Respectfully,

JOHN TAYLOR.

(C. F. No. 12.) "An act to incorporate the City of Moroni, in Sanpete county," was taken up and read as amended, and laid on the table.

Councilor L. Snow, chairman of the committee on roads, bridges, &c., to whom was referred a portion of the report of Theodore McKean, Esq., Territorial Road Commissioner, recommended that the sum of fifteen hundred dollars be inserted in the Territorial appropriation bill, to be expended by him as the interests of the traveling community may demand on the roads and bridges in this Territory.

On motion of Councilor Richards, the report was accepted and the committee so instructed.

On motion of Councilor Richards, the committee on claims and appropriations were instructed to report on Monday next, the 15th inst., the items and amounts that shall have been ordered into the bill by both Houses up to that time.

Council adjourned until 2 p. m.

Councilor Hyde, chairman of the committee on incorporations, to whom was referred [H. F. No. 20.] "An act to amend an act to incorporate the City of Lehi," reported adversely to the same, and,

On motion of Councilor Carrington, the report was accepted, and the bill not concurred in.

Councilor Cannon, chairman of the committee on library, to whom was referred the "House memorial to Congress to extend the Library," reported a substitute, which was read, and,

On motion of Councilor Richards, the report was accepted, and the memorial adopted and sent to the House for concurrence.

On motion of Councilor Cannon, the committee on claims and appropriations were instructed to insert in the Territorial appropriation bill, the sum of one hundred and fifty dollars, for the purpose of enabling the Territorial Librarian to purchase a few necessary works, and also to replace missing volumes of valuable and useful works which have been lost by loaning—this \$150 00 being the amount appropriated by the Legislature of 1863-4 to the Territorial Librarian, for the purpose of binding books, &c., but which still remains unexpended.

Councilor L. Snow, chairman of committee on roads, &c., to whom was referred [H. F. No. 7.] "An act repealing an act incorporating the Weber kanyon road company," reported the same back and recommended non-concurrence.

On motion of Councilor Cannon, the report was accepted, and the bill non-concurred in.

The following communication from the House was received and read:

The enclosed "Memorial to the Secretary of the Interior, relating to Indian Affairs," has been adopted and forwarded for your concurrence.

[C. F. No. 9.] "An act in relation to marks and brands," has passed the House with amendment in section 8.

Very Respectfully.

JOHN TAYLOR, Speaker.

[C. F. No. 14.] "An act to provide for locating and opening certain Territorial Roads," was taken up on its second reading by sections, and,

On motion of Councilor Carrington, the Committee on Claims and Appropriations were instructed to incorporate in the "Territorial Appropriation bill" the items required to construct said roads.

Councilor E. Snow, to whom was referred [H. F. No. 11.] "An act to establish a Territorial Road from Tooele City, Tooele County, to Desert City," reported back the same and recommended non-concurrence in the passage of said bill which was read, and,

On motion of Councilor E. Snow, the bill was non-concurred in. Councilor Richards, Chairman of the Committee on Militia, to whom was referred that portion of the Governor's Message which treats of the Territorial Militia, reported [C. F. No. 16.] "An act concerning the Militia," as the labors of the Joint Committee of both Houses, which was read, and,

On motion of Councilor Young, the report was accepted and the bill read the first time, and,

On motion of Councilor Cannon, was read the second time by sections, and,

On motion of Councilor Johnson, passed its third reading by its title, and sent to the House for concurrence.

Councilor Hyde, presented [C. F. No. 17.] "An act amending an act prescribing the manner of assessing and collecting Territorial and County Taxes, and for other purposes. Approved Jan. 20th, 1865," which was taken up on its first reading, and,

On motion of Councilor Young, was read the second time by sections, and,

On motion of Councilor Cannon, was read the third time by its title, and so passed, and sent to the House for concurrence.

The following was received from the House and read:

HOUSE OF REPRESENTATIVES,

Jan. 12, 1866.

THE HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The accompanying "Resolution authorizing the Deseret Agricultural and Manufacturing Society to collect Statistics and for other purposes," and, "An act to amend an act entitled an act to incorporate the Ogden Canyon Road Company," have passed the House and are forwarded for your action.

[C. F. No. 11.] Substitute for [H. F. No. 5.] has also passed the House, and have adopted your Substitute Memorial to "increase the Territorial Library.

Adjourned till 6.30 p. m.

'6:30 p.m.

Council resumed its session.

[H. F. No. 21.] "An act to amend an act entitled, an act to incorporate the Ogden Canyon Road Company," Approved Jan. 20th, 1865, was taken up on its first reading, and,

On motion of Councilor L. Snow, was referred to the committee on Corporations.

[C. F. No. 9.] "An act in relation to Marks and Brands," was read, as amended by the House, and,

On motion of Councilor Woodruff, the amendments were concurred in.

House "Memorial to the Secretary of the Interior," was read, and,

On motion of Councilor L. Snow, was referred to committee on memorials.

House "Resolution, authorizing the Deseret Agricultural and Manufacturing Society to collect agricultural, horticultural and irrigation statistics, and for other purposes," was read, and,

On motion of Councilor Richards, was referred to the committee on Agriculture, Trade and Manufacture.

Councilor Woodruff, Chairman of the committee on Agriculture, etc., to whom was referred House resolution in relation to the Agricultural Society, after consulting with the committee, moved that one thousand copies of the report of the President and Board of Directors, and the accompanying statistics relating to irrigation, be printed in pamphlet form, the House concurring, for the use of the members and officers of the Assembly, and for distribution.

The following was received from the House and read:

The Logan City Charter, on motion of Mr. Maughan, was called up, and the same reconsidered, and the accompanying amendments inserted. Do you concur?

Very respectfully,

JOHN TAYLOR.

The amendments to the "Logan City Charter," were read, and,

On motion of Councilor Cannon, the amendments were concurred in.

Minutes read and accepted:

On motion of Councilor Benson, the Council adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL,

G. S. L. City, Jan. 12, 1866, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council announcing that Councilor Richards was appointed a committee to act with the Committee appointed by the House to examine the Treasurer's books, also to act with the House Committee to investigate the communication received from the Auditor of Public Accounts.

A message was received from the Council announcing their concurrence in [H. F. No. 15.] "An act repealing an act granting unto Charles Hopkins and others the right to build a Bridge across the river Jordan."

Messages were received from the Council announcing their passage of [C. F. No. 7.] "An act to incorporate the Deseret Irrigation and Navigation Canal Company," and [C. F. No. 12.] "An act to incorporate the city of Moroni in Sanpete county."

[C. F. No. 7.] "An act to incorporate the Deseret Irrigation and Navigation Canal Company" was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title thereof was read and approved.

[C. F. No. 12.] "An act to incorporate the city of Moroni in Sanpete County," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time by its title and so passed.

A message was received from the Council and read, announcing their passage of [C. F. No. 9.] "An act in relation to Marks and Brands."

Said bill was taken up and read the first time.

Said bill was read the second time, pending the consideration of which, the House adjourned till 2 p. m.

2 p. m.

"An act in relation to Marks and Brands," pending the consideration of which, the House adjourned, was again taken up and read the second time and amended.

Said bill was read the third time by its title.

The title of the same was read and approved.

On motion of Mr. Maughan, the vote to pass the Logan City charter was reconsidered and said bill was amended and so passed.

Mr. Callister presented, memorial to the Secretary of the Interior, relating to Indian affairs, which was read and adopted.

Mr. Joseph F. Smith presented, a bill for "An act to provide for the establishment and support of Common Schools," which was read and 60 copies thereof ordered to be printed.

The following was received and read:

EXECUTIVE OFFICE, U. T.,
January 11, 1866. }

HONORABLE JOHN TAYLOR, SPEAKER

OF THE HOUSE OF REPRESENTATIVES:

The bill entitled "An act to amend certain City Charters," I have on this day approved, signed and deposited in the office of the Secretary of the Territory.

Respectfully,
CHARLES DURKEE, Governor.

EXECUTIVE OFFICE, Utah,
January 11th, 1866. }

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

Enclosed, I forward to you a petition of John W. Kerr and others, coupled with a proposition to construct a turnpike road through Parley's Canyon, to Weber river, which I submit to the consideration of the Legislative Assembly.

Very Respectfully,

CHARLES DURKEE, Governor.

Said petition of John W. Kerr and others, was read and referred to the committee on Roads, Bridges, Ferries and Kanyons.

The following was received and read:

The Council has this day passed [C. F. No. 11.] substitute for [H. F. No. 5.] "An act granting to Alvin Nichols and William S. Godbe the right to establish a toll bridge across Bear river in Box Elder county, and a bridge across the Malad, and is herewith sent to your honorable body for concurrence. Do you concur?

Very Respectfully,

GEO. A. SMITH,

President of the Council.

Said substitute bill [C. F. No. 11.] was read the first time.

Said bill was read the second time.

Said bill was read the third time.

The title thereof was read and approved.

Mr. Rockwood, presented, resolution authorizing the Deseret Ag-

ricultural and Manufacturing Society to collect statistics and for other purposes, which was read and adopted.

Mr. Pace presented, petition of the members of the Utah County Agriculture and Home Manufacturing Society, praying for a charter, which was read, also the accompanying constitution of the Utah County Agriculture and Home Manufacturing Society, which was also read and referred to the committee on Agriculture.

Mr. Callister presented, an act to amend an act entitled "An act pertaining to damage done by animals, and providing for fencing," which was read and laid on the table to come up in its order.

[H. F. No. 21.] an act to amend an act entitled, "An act to incorporate the Ogden Kanyon Road Company," was taken up and read the first time.

Said bill was read the second time and amended.

Said bill was read the third time by its title.

The title thereof was read and approved.

Mr. Rich moved, that the committee on Claims and Appropriations be instructed to place on the Appropriation bill the following sums, viz.:

For the purpose of improving and securing the Weber bridge \$2000 00

To Theodore McKean, for services as Territorial Road

Commissioner for 1865 400 00

Stationery and postage 10 00

For the improvement of the bridge over the Provo river, also the road in Provo valley 1000 00

The following was received and read:

The Council does not concur in [H. F. No. 7.] "An act repealing an act incorporating the Weber Kanyon Road Company." and [H. F. No. 20.] "An act to amend an act to incorporate the City of Lehi," and have substituted the accompanying for House memorial to Congress for an appropriation to increase the Territorial Library. Do you concur in the adoption of said memorial.

Very Respectfully,

GEO. A. SMITH, President of the Council.

Said substitute memorial was read and adopted.

The minutes were called for, read and accepted.

On motion of Mr. Rowberry, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

SATURDAY, JANUARY 13, 1866.

COUNCIL.

COUNCIL CHAMBER,

G. S. L. City, Jan. 13th, 1866, 10 a.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

[C. F. No. 12.] "An act to incorporate the City of Moroni, in Sanpete county," was taken up and read as amended by the House, and,

On motion of Councilor Harrington, the first amendment of the House was concurred in, and the second amendment further amended and sent to the House for concurrence in said amendments.

[H. F. No. 6.] "An act regulating Estray Pounds and for other purposes," was taken up on its first reading, and,

On motion of Councilor Snow, the bill was laid over until Monday next the 15th inst.

The following was received and read:

COMMITTEE ROOM, Jan. 12th, 1866.

HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

Your committee on Claims, etc., beg leave to report they have examined the report of Theodor McKean, Territorial Road Commissioner, and believe it to be correct. He has expended five hundred and nineteen dollars and thirty-nine cents (\$519.39) over and above the appropriation placed at his disposal, of the last session. We recommend the same to be placed in the Territorial appropriation bill.

E. T. BENSON, Chairman.

On motion of Councilor Harrington, the report was accepted and the recommendation adopted.

The following was received and read:

COMMITTEE ROOM, Jan. 12th, 1866.

HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

I beg leave to report the following bill:

J. D. T. McAllister, Territorial Marshal for courtroom, fuel, etc., from the year 1863, up to Dec. 29th, 1865. \$560 00
 Franklin B. Woolley, Deputy Territorial Marshal for services, etc., 23 00

R. V. Morris, for services as clerk, 15 00

Jesse W. Fox, for assisting Territorial Road Commissioner examining route for road west of Jordan bridge 10 00

Jesse W. Fox, for drawing new plots for G. S. Lake, Tooele, Davis, Weber, Box Elder and Cache counties 500 00

And your committee recommend that the accompanying bills be placed in the Territorial Appropriation Bill.

Respectfully Yours,

E. T. BENSON, Chairman.

On motion of Councilor Harrington, the report was accepted, and the committee instructed to incorporate the amount of the bills in the Territorial Appropriation Bill.

COMMITTEE ROOM, Jan. 12th, 1866.

HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

I beg leave to report the accompanying bill in favor of the Hon. John Taylor, for team work, etc., to save Weber bridge, \$405 79

On motion of Councilor Carrington, the report was accepted and the bill laid on the table for further consideration.

[C. F. No. 8.] "An act amending an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts," was taken up on its second reading by sections, and,

On motion of Councilor Young, was amended, and,

On motion of Councilor Richards, passed its second reading, and,

On motion of Councilor Young, was read the third time by its title and sent to the House for concurrence.

Councilor Hyde, to whom was referred [H. F. No. 21.] "An act entitled an act to incorporate the Ogden Canyon Road Company," approved Jan. 20th, 1865, reported the same back amended, bill was read as amended, and,

On motion of Councilor Richards, was read the third time by its title, and,

On motion of Councilor Young, the title was amended and sent to the House for concurrence.

The claims of John Taylor were brought up, and,

On motion of Councilor Young, the committee on Claims and Appropriations were instructed to incorporate the said claims in the Territorial Appropriation Bill.

The following was received and read:

The House have concurred in your amendment to [C. F. No. 12.] "An act to incorporate the city of Moroni, in Sanpete county," and

have passed "An act to incorporate the Logan Canyon Road Company," and have also passed "An act to incorporate the Deseret City Library Association," and forward the same for your action.

Respectfully, &c.,

JOHN TAYLOR, Speaker.

[H. F. No. 25.] "An act to incorporate the Deseret City Library Association," was taken up on its first reading, and,

On motion of Councilor Richards, was read the second time by sections, and,

On motion of Councilor Harrington, was read the third time by its title and sent to the House concurred in.

[C. F. No. 6.] "An act to incorporate the Wasatch Wagon Road Company," was read as amended by the House. Said amendment was concurred in, and,

On motion of Councilor Carrington, was further amended, and sent to the House for concurrence in the amendment.

Minutes called for, read and accepted.

On motion of Councilor Benson, the Council adjourned until 10 a.m. of Monday, the 15th inst.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Jan. 13, 1866, 10 a. m. }

House met pursuant to adjournment.

Roll called. Quorum present.

Called to order by the Speaker.

Prayer by the Chaplain.

The following was received and read:

The Council has this day passed [C. F. No. 17.] "An act amending an act prescribing the manner of assessing and collecting Territorial and County Taxes, and for other purposes. Approved Jan. 20, 1865," which is sent to your Honorable body for concurrence.

The Council has also concurred in your amendments to [C. F. No. 9.] "An act in relation to Marks and Brands."

Very Respectfully,

Geo. A. SMITH,

President of the Council.

Said bill, [C. F. No. 17.] "An act amending an act prescribing

the manner of assessing and collecting Territorial and County Taxes and for other purposes. Approved Jan. 20, 1865," was read the first time, and,

On motion of Mr. Peacock, was referred to the Committee on Judiciary.

A message was received from the Council, announcing their concurrence in the amendments of the Logan city Charter.

The following was received and read:

The Council has ordered one thousand copies of the report of the President and Board of Directors of D. A. M. Society, with accompanying statistics, relating to Irrigation, in Pamphlet form, for the use of the Members and Officers of the Assembly. Do you concur.

Very respectfully,

GEO. A. SMITH,

President of the Council.

On motion of Mr. Maughan, the House concurred in said order for printing Irrigation Statistics, etc.

The following was received and read:

The Council does not concur in [H. F. No. 11.] "An act to establish a Territorial Road from Tooele city, in Tooele county, to Deseret city."

Also, the Council has passed [C. F. No. 16.] "An act concerning Militia," which is sent to your Honorable body for concurrence.

Very respectfully,

GEO. A. SMITH,

President of the Council.

[C. F. No. 16.] "An act concerning Militia," was read the first time and laid on the table to be called up.

The following was received and read:

The Council has concurred in your first amendment to [C. F. No. 12.] "An act to incorporate the city of Moroni, in Sanpete County," and instead of striking out section 13, has amended the same. Do you concur in the amendment.

Very respectfully,

GEO. A. SMITH,

President of the Council.

Said bill was read as amended, and,

On motion of Mr. Maughan, the House concurred in the same.

The following was received and read:

Your Committee to whom the petition of B. F. Stuard and 77 others, citizens of Payson, Utah Co., for the right to use one-sixth

of the water of the Spanish Fork river for Irrigation purposes, would respectfully report they do not think Legislation thereon necessary, having been credibly informed that this matter has been brought before the County Court of Utah county, and that said Court has appointed three disinterested citizens as commissioners to go and examine said stream referred to, and the amount of land now in cultivation, claiming water therefrom, and report their findings to the said Court at an early day.

CHAUNCEY W. WEST,
Chairman.

On motion of Mr. Farr, the report was received, and the committee discharged from the further consideration of the subject,

Mr. Peacock presented, petition from Andrew J. Moffitt and 62 others, for extension of boundaries of Manti City, which was read, and,

On motion of Mr. Snow, referred to the Committee on Incorporations.

[H. F. No. 8.] "A bill creating a Mechanics' and labor lien law," was taken up, and,

On motion of Mr. Rockwood, the presenter thereof had leave to withdraw the same.

(H. F. No. 22.) "An Act to incorporate the Logan Canyon Road Company," was taken up and read the second time, and amended.

Said bill was read the third time by its title and so passed.

The title thereof, was read and approved:

Mr. Snow, Chairman of Committee on Roads &c., to whom was referred the petition of Archibald Gardner praying for an appropriation of \$928.48, to reimburse him for material used in building a bridge across Jordan river in Great Salt Lake County reported, the same back and recommended that said sum be placed in the Territorial appropriation bill, which was read and

On motion of Mr. Van Cott, the committee on Claims and Appropriations were instructed accordingly.

Mr. Jennings moved, that there be an appropriation of two thousand dollars made to the Deseret Agricultural and Manufacturing Society for the purpose of holding a fair in the present year, for the display of home manufactured articles and the products of this Territory. Seconded and carried.

Mr. Callister presented a petition of Thomas Memmott and 23 others for a charter for the Deseret City Library Association, which was read, also a bill for "An Act to incorporate the Deseret City Library Association," which was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time by its title.

The title was read and approved.

Mr. Farr, chairman of committee on judiciary, to whom was referred, "An Act providing for the collecting of certain kinds of debts therein mentioned," reported the same back with amendments and recommended its passage.

Said bill was read the first time.

On motion, the House adjourned till 2 p.m.

2 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

On motion of Mr. Rowberry, Mr. Rockwood was called to the chair.

The following was received and read:

The Council has concurred in (H. F. No. 25.) "An act to incorporate the Deseret City Library Association," also the Council has passed (C. F. No. 8.) "An act amending an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts. Do you concur?"

And the Council has concurred in your amendments to (C. F. No. 6.) "An act to incorporate the Wasatch Wagon Road Company," and have amended by adding another section. Do you concur in the amendment?

Very Respectfully,

GEORGE A. SMITH, President of the Council.

(C. F. No. 8.) "An act to incorporate the Wasatch Wagon Road Company," was read as amended, and,

On motion, said amendment was concurred in.

The Speaker arrived and took the chair.

(C. F. No. 8.) "An act amending an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts," was read the first time.

On motion of Mr. Johnson, said bill was referred to the committee on revision.

The following was received and read:

Your committee to whom was referred, the petition of A. J. Moffitt and 62 others, and, "An act entitled an act changing the boun-

daries of Manti City, in Sanpete county," respectfully herewith report back said act without amendment, and unanimously concur in recommending the passage of said act.

Very Respectfully,

J. C. WRIGHT,

Chairman of Committee on Incorporations.

Said bill "An act changing the boundaries of Manti City, in Sanpete county," was read the first time.

Said bill was read the second time.

Said bill was read the third time. The title was read and approved.

The following was received and read:

Your committee, to whom was referred the petition of William Morrison and one hundred and fifteen other citizens of Sevier county, asking for an appropriation of \$1500, to build a bridge across the Sevier river, beg leave to report that in view of an appropriation, to make a dug-way between Glenwood and Salina by which the citizens of Sevier county, and the traveling public would be greatly benefited for the present, we therefore report adverse to granting the prayers of the petitioners.

W. S. SNOW, Chairman,

The report was received and the committee relieved from the further consideration of the subject.

The following was received and read:

Your committee to whom was referred the motion of Mr. Cluff for an appropriation of two thousand dollars to improve the road in Chalk Creek Canyon going east from Weber river to Fort Bridger, beg leave to report back the motion and recommend that the sum of one thousand dollars be inserted in the Territorial Appropriation Bill.

W. S. SNOW, Chairman.

On motion of Mr. Van Cott, the committee on Claims and Appropriations were instructed accordingly.

Mr. Snow, chairman of committee on roads, etc., to whom was referred the motion of Mr. Maughan for an appropriation to improve the road from Huntsville, Weber county, to Itasca, Richland county, reported back the same and recommended that the sum of one thousand dollars be inserted in the Territorial Appropriation Bill.

On motion of Mr. Rich, the sum of two thousand dollars was substituted for one thousand as recommended, and the committee on Claims and Appropriations instructed to incorporate said sum of two thousand dollars in the Territorial Appropriation Bill.

The following was received and read:

Your committee on roads, bridges, etc., to whom was referred the petition of William Miller and others, citizens of Provo, asking for an appropriation of three thousand dollars to build a bridge across a branch of Provo river, near the foot of the dugway, beg leave to recommend the sum of fifteen hundred dollars to be inserted in the Territorial Appropriation Bill,

Respectfully,

W. S. SNOW, Chairman.

On motion of Mr. Rowberry, the committee on claims and appropriations were instructed accordingly.

The following was received and read:

Your committee on agriculture, trade and manufacture, to whom was committed the petition of Mr. A. H. Scott, and others, praying for an act to incorporate a branch agricultural and manufacturing society, have examined the charter of the Deseret Agricultural and Manufacturing Society, and find that said charter, Sec. 4, contemplates a parental care over branch societies, which have been formed in several of the counties, therefore we deem it unnecessary to legislate as prayed for by the petitioners.

WILLIAM JENNINGS, Chairman.

Said committee were relieved from the further consideration of the subject.

Mr. West, chairman of committee on irrigation, to whom was referred, the petition of Abraham Shaw, and other citizens of Utah county, praying for an act to incorporate irrigation companies, passed Jan. 20, 1865, reported, a bill for "An act to amend an act, entitled an act to incorporate irrigation companies," which was read and laid on the table to come up in its order.

(H. F. No. 24.) "An act to amend an act pertaining to damage done by animals, &c.," was read the first time, and sixty copies thereof ordered to be printed for the use of the Assembly.

(C. F. No. 16.) "An act concerning the militia" was taken up and read the second time.

Said bill was read the third time by its title. The title was read and approved.

(H. F. No. 19.) "An act providing for the collecting of certain kind of debts therein mentioned," was taken up and read the second time.

Said bill was read the third time by its title and so passed.

The title of said bill was read and approved.

The minutes were called for, read and accepted.

On motion of Mr. Joseph F. Smith, the House adjourned till Monday at 10 a. m.

Benediction by the Chaplain.

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MONDAY, JANUARY 15, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
January 15, 1866, 10 a. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House and read:

The House have concurred in your amendments to (C. F. No. 6.) "An act to incorporate the Wasatch Wagon Road Company," and in your passage of (C. F. No. 16.) "An act concerning the militia."

And have passed "An act changing the boundaries of Manti City," and "An act providing for the collecting of a certain kind of debts therein mentioned," which are forwarded for your action.

Very respectfully,

JOHN TAYLOR.

(H. F. No. 26.) "An act changing boundaries, &c. of Manti City," was taken up and read, and,

On motion of Councilor Benson, was referred to the committee on incorporations.

(H. F. No. 19.) "An act providing for certain kind of debts therein mentioned," was taken up and read, and,

On motion of Councilor Harrington, was referred to the committee on judiciary.

Councilor Carrington, chairman of the committee on judiciary, reported as follows:

The committee on judiciary, to whom was referred (H. F. No. 9.) "An act concerning Notaries Public," report back said bill with recommendation that the Council do not concur with its passage but pass in its stead the accompanying bill upon the same subject. Said report and bill were read, and,

On motion of Councilor Young, the report was received and the bill passed its first reading, and,

On motion of Councilor Cannon, the bill was read the second time by sections, and,

On motion of Councilor Benson, the bill passed its third reading by its title and so passed, and was sent to the House for concurrence.

Councilor Woodruff, Chairman of the committee on Agriculture, etc., to whom was referred House resolution, authorizing the Deseret Agricultural and Manufacturing Society to collect statistics and for other purposes, reported a substitute which was read, and,

On motion of Councilor Benson, the report was accepted and the resolution laid on the table to come up in its order.

Councilor Benson presented, a petition from L. H. Hatch and fourteen others, citizens of Cache county, praying for an appropriation for the purpose of erecting and keeping stations in Box Elder kanyon, which was read, and,

On motion of Councilor Cannon, was referred to the committee on Roads, Bridges, etc.

(H. F. No. 6.) "An act regulating Estray Pounds and for other purposes," was taken up on its second reading by sections, pending which,

On motion of Councilor E. Snow, the Council adjourned till 2 p. m.

2 p. m.

Council met pursuant to adjournment, and continued the reading by sections [H. F. No. 6.] "An act regulating estray pounds and for other purposes," and amended, pending debate.

Council adjourned till 6:30 p. m.

6:30 p. m.

Council resumed its session and the reading of [H. F. No. 6.] "An act regulating estray pounds and for other purposes," was taken up, and,

On motion of Councilor Woodruff, passed by its title and was sent to the House for concurrence in the amendments.

Councilor Benson presented, a petition from Seth M. Blair, praying for an appropriation for services as Attorney General, which was read, and,

On motion of Councilor L. Snow, was referred to the committee on claims and appropriations.

The following was received from the House and read:

"An act to amend an act to incorporate irrigation companies," has passed the House, and is sent for your action thereon.

Very Respectfully,

JOHN TAYLOR, Speaker.

[H. F. No. 27.] "An act to amend an act to incorporate irrigation companies," was taken up and read, and,

On motion of Councilor L. Snow, was read the second time by sections, and,

On motion of Councilor Carrington, was amended, and,

On motion of Councilor L. Snow, the bill passed its third reading by its title, and was sent to the House for their concurrence in the amendments.

A "Resolution authorizing the Deseret Agricultural and Manufacturing Society to collect Statistics," was taken up and read, and,

On motion of Councilor L. Snow, was passed, and sent to the House for concurrence.

Councilor Benson, Chairman of the Committee on Claims and Appropriations, reported progress of the Committee on the Territorial Appropriation bill, and requested further time, and,

On motion of Councilor Woodruff, the report was accepted, and further time given the Committee to complete their labors.

On motion of Councilor Johnson, the sum of five hundred dollars, was ordered to be incorporated in the Territorial Appropriation bill, to further assist the Citizens of Springville in paying for the New Bridge, which has been erected over Hoble Creek in said City.

Minutes called for, read and accepted.

On motion of Councilor L. Snow, the Council adjourned till 10 a. m. of to-morrow

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,

Jan. 15th, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called: Quorum present.

Prayer by the Chaplain.

A message was received from the Council, announcing their

amendment to [H. F. No. 21.] "An act to amend an act entitled an act to incorporate the Ogden Canyon Road Company," which was read, and,

On motion of Mr. Rich, said bill was referred to the committee on Roads, etc.

On motion of Mr. Rich, the House adjourned till 2 p.m.

2 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

The following was received and read:

The Council does not concur in [H. F. No. 9.] "An act concerning Notaries Public," but have passed the enclosed bill, [C. F. No. 17.] which is a substitute, and is sent to your honorable body for concurrence. Do you concur?

Very respectfully,

GEO. A. SMITH, President of the Council.

[C. F. No. 17.] "An act concerning Notaries Public," was read the first time, and,

On motion of Mr. Rowberry, was laid on the table to come up in its order.

Mr. Jennings presented, "An act concerning Fees of Courts and other purposes," which was read, and,

On motion of Mr. Rich, referred to the committee on Judiciary.

The oldest bill being called for, [H. F. No. 27.] "An act to amend an act to incorporate Irrigation Companies," was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title, and so passed.

The title was read and approved.

Mr. Callister moved, that the committee on Claims and Appropriations be instructed to incorporate in the Territorial Appropriation Bill the sum of two hundred dollars, (\$200.) to be expended under the supervision of the Territorial Road Commissioner, to improve the Territorial road on the Sevier mountain, south of the Sevier bridge, in Juab and Millard counties. Seconded and carried.

[H. F. No. 23.] "An act to provide for the establishment and support of Common Schools," was taken up on its second reading, and,

On motion of Mr. Rich, referred to the committee on Judiciary.

Minutes called for, read and accepted.

On motion of Mr. Rich, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

TUESDAY, JANUARY 16, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
January, 16, 1866, 10 a. m. }

Council met pursuant to adjournment.

Roll Called. Quorum present.

Prayer by the Chaplain.

The following communications were received and read:

EXECUTIVE OFFICE, Utah,
January 13th, 1866. }

HONORABLE GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

I have this day approved and signed a "Memorial to Congress for the establishment of certain Mail Routes," and have deposited the same in the office of the Secretary of the Territory.

Respectfully,

CHARLES DURKEE, Governor.

EXECUTIVE OFFICE, Utah,
Jan. 13th, 1866. }

HON. GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

The bill entitled "An act in relation to Marks and Brands," and a "Memorial to Congress for an appropriation to increase the Territorial Library," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Respectfully,

CHARLES DURKEE, Governor.

EXECUTIVE OFFICE, Utah Territory,
January 15th, 1866. }

HONORABLE GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

I deem it proper to communicate to you some of the reasons which impel me to withhold my signature from a bill entitled "An act to in-

incorporate the Deseret Irrigation and Navigation Company," which has been received at this office. It is with the greatest regret that I find myself obliged to adopt this course.

The undertaking contemplated by the bill is one which, carried out as it is to be, purely by private capital and enterprise, awakens my admiration by its magnitude and boldness. It is an undertaking, before entering upon which, the enterprising capitalists of our oldest and wealthiest States might well hesitate, and therefore the more remarkable in the people of this Territory: a young and purely agricultural community, and isolated in a great measure from the markets and commerce of the world.

I would observe in the first instance, that the desirableness and even necessity of a work similar to that contemplated by the bill, is most apparent. A vast tract of fertile land, lying between the proposed canal and the bed of the Jordan river, which is now worthless for agricultural purposes, by reason of want of facilities for irrigation, would be thereby rendered available. In seasons of scarcity of water, this city would be greatly benefitted by the proposed work.

But inasmuch as it is proposed to incorporate a company with perpetual succession, and a company, the incorporation of which would of necessity exclude all competition, and in whose power will be virtually placed the future welfare and prosperity of the district before referred to, it is important that the rights of the future settlers upon those lands be guarded with care. In this Territory, where without irrigation agriculture is impossible, the water of our streams should be looked upon as the property of the entire people, to be used and regulated in such manner as shall best promote their interests: and in delegating to any individual or corporation a right to the control and management of any stream, this fact should ever be borne in mind.

It gives me pleasure to state further, that could the work be perpetually in charge of the liberal and intelligent gentlemen named as incorporators, my objections to the bill would be cheerfully waived, but in this matter, you are legislating for generations yet to come.

The following are some of the objections to which I have adverted:

1. The corporation is endowed with an unlimited power, to purchase and hold real estate.

While it is conceded that a power should be granted the corporation to hold such real estate as is necessary for the construction and operation of the canal, no necessity is perceived for a farther extension of this power. A great and burdensome monopoly might thus be created.

2. No time is assigned within which the work must be commenced and completed.

The necessity for such a canal is so apparent, that its construction is simply a question of time. The grant of this charter would virtually prevent all other parties from engaging in the work. The company, by deferring for a long period the commencement of their work, as they are not prevented from doing by the terms of their charter, might thus greatly retard the agricultural development of the region dependent for water upon the river Jordan and Utah lake.

3. No dimensions are prescribed for the proposed canal. The construction of a simple ditch would be a compliance with the requirements of the charter. In the grant of so important a franchise, ample guarantees should be provided in the charter itself, that the work be constructed upon a scale of magnitude commensurate with the present and future needs of the country.

4. No rates are fixed at which water shall be furnished for agricultural or other uses, nor is it provided that such rates be uniform to all consumers, nor is the company obliged to furnish water to the settlers at all.

It is conceived that there is much force to each of these objections. While it may not be practicable at present, before the cost of the work is known, to fix an exact tariff of the rates at which water be furnished, yet the power of fixing such rates should be reserved in the Legislature. The corporation should be entitled to charge such rates and no more, as would yield to it a fair compensation, above all necessary expenses, for the capital invested in the work. Reports of receipts and disbursements should be made to the Legislature annually, as the basis for occasional readjustments of such rates, since the cost to each consumer would naturally diminish with the settlement of the country and greater demand for water thereby created, without corresponding increase in the cost of furnishing the same.

The company should also be obliged to furnish water to its consumers at uniform rates. As at present provided, it would be in the power of the company, by an exorbitant charge for water, to render utterly worthless the real estate of any landed proprietor, whom, for any reason, it might desire to persecute or oppress.

The company should also be required to furnish water to all demanding it for agricultural purposes along the line of the canal. By an arbitrary discrimination in favor of certain settlers, it could entirely prevent the settlement of any particular locality.

It will be perceived that each of these last several objections rests upon the principle previously enunciated; that although a private enterprise, this project possesses many of the characteristics of a public work; that the water capable of being used for purposes of irrigation is the property of the present and future agriculturists of the Territory, and that the corporation is simply the appointed custodian of their rights.

5. For reasons similar to those advanced for fixing the rates for the sale of water, the power of fixing the tolls, to be paid for boats navigating the canal, should be also reserved to the Legislature.

6. Through inadvertance, merely, I doubt not, no provision is embraced in the bill, requiring the canal to be carried in aqueducts, or otherwise over the various streams crossed upon its route. Unless this were done, the waters of such streams would be absorbed by such canal, to the great and manifest injury of the lands capable of being irrigated, or perhaps already irrigated by such streams.

CHARLES DURKEE, Governor.

Councilor Lyman, Chairman of the Committee on Memorials, to whom was referred the House Memorial to the Secretary of the Interior on Indian Affairs, reported the same back and recommended that the accompanying substitute be adopted, which was read, and,

On motion of Councilor Cannon, the report was accepted, and the substitute adopted and sent to the House for concurrence.

The following was received from the House and read:

The House have appointed Messrs. Woolley, Callister and Maughan, a Committee of Conference on [H. F. No. 6.] "An act regulating Estray Pounds, and for other purposes."

The House have concurred in your amendment to "An act to amend an act to incorporate Irrigation Companies," also in your resolution authorizing the Deseret Agricultural and Manufacturing Society to collect Statistics," and have passed "An act to incorporate the city of Wellsville," which is sent for your action.

Very Respectfully,

JOHN TAYLOR, Speaker.

The President appointed Councilor Carrington, E. Snow and Cannon, a Committee of conference to meet the House Committee on the above subject.

On motion of Councilor L. Snow, the House adjourned till 2 p. m.

2. p. m.
Council in session.

[H. F. No. 31.] "An act to incorporate the city of Wellsville was taken up on its first reading, and

On motion of Councilor L. Snow was referred to the Committee on Corporations.

A petition from the officers of courts, for the repeal or amendment of the Fee Bill, was presented by Councilor Young, and read, and,

On motion of Councilor Woodruff was referred to the Committee on Revenue, with instructions to amend the Fee bill, by doubling the present rates.

On motion of Councilor Hyde, the Moroni Charter was reconsidered, amended, and sent to the House for concurrence in the said amendments.

[H. F. No. 22.] "An act to incorporate the Logan Canyon Road Company," was taken up on its first reading, and,

On motion of Councilor L. Snow, was read the second time by sections, and,

On motion of Councilor Young, passed its third reading by its title and so passed, and was sent to the House for concurrence in the amendments.

Councilor Benson, presented a petition from J. D. T. McAllister, Territorial Marshal, and Patrick Lynch, Clerk of the Third District Court praying for an appropriation to pay for the rent of offices which was read, and,

On motion of Councilor Young was referred to the Committee on Claims and Appropriations with instructions to insert the said claims in the Territorial Appropriation bill.

On motion of Councilor Young, the committee on Claims and Appropriations were instructed to incorporate in the Territorial Appropriation Bill the sum of three thousand dollars, to protect, straighten and improve the Territorial road on the west side of Jordan; the sum of three thousand dollars to improve North Temple street, in G. S. L. City, and one thousand dollars to improve the Territorial road from the Warm to the Hot Spring, north of the city.

Councilor Richards moved, for a reconsideration of "An act concerning Militia." Seconded and carried.

On motion of Councilor Woodruff, the House committee on Claims and Appropriations, were requested to act with the Council committee on the Territorial Appropriation Bill.

The following was received from the House and read:

The House have concurred in your amendments to the Moroni charter, and in your Memorial to the Secretary of the Interior, and have passed [C. F. No. 17.] "An act concerning Notaries Public," which are returned for engrossing.

The House have also passed a bill for "An act providing for the establishment and support of Common Schools," and "An act authorizing the Attorney General, District and County Attorneys, to appoint deputies". The latter as a substitute for [C. F. No. 10.] "An act authorizing the Attorney General and District Attorneys to appoint deputies," which are forwarded for your action.

Very Respectfully,

JOHN TAYLOR, Speaker.

The House of Representatives have passed [H. F. No. 28.] "An act concerning Costs and Fees of Courts and for other purposes," which is forwarded for your action, and have passed [H. F. No. 6.] "An act regulating Estray Pounds and for other purposes," as amended by the joint committee of both Houses.

Very Respectfully,

JOHN TAYLOR, Speaker.

Council adjourned until 6:30 p.m.

6:30 p. m.

Council in session.

"An act regulating estray pounds, and for other purposes," was taken up as amended by the committee of conference, was read, and,

On motion of Councilor Harrington, the amendments were adopted, and the bill returned to the House.

[H. F. No. 23.] "An act providing for the establishment and support of common schools," was taken up on its first reading, and,

On motion of Councilor Cannon, the bill was read the second time by sections, and,

On motion of Councilor Young, was referred to the Committee on Education.

[H. F. No. 28.] "An act concerning costs and fees of courts, and for other purposes," was taken up on its first reading, and,

On motion of Councilor Young, was taken up on its second reading, pending discussion thereon.

On motion of Councilor Young, the Council adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

HOUSE

REPRESENTATIVES' HALL,

G. S. L. City, Jan. 16, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Pace presented, petition from Wm. Miller and forty-seven others, citizens of Provo, and accompanying bill for "An act to incorporate the Provo Mercantile Company."

Said bill "An act to incorporate the Provo Mercantile Company." was read the first time.

Mr. Peterson presented, "An act amending an act entitled an act to incorporate the Weber Canyon Road Company."

Said bill was read the first time.

Mr. Maughan presented, "An act to incorporate the City of Wellsville," which was read the first time.

Mr. Peterson moved, that the Territorial Road Commissioner be instructed to apply the fifteen hundred dollars appropriated in 1864, to assist in making a road in Weber Canyon, to aid in building a bridge across the Weber river, at or near Weber City, in Morgan county.

Seconded and carried.

A message was received from the Council, announcing their concurrence in [H. F. No. 6.] "An act regulating estray pounds, and for other purposes," with amendments.

Said bill was read as amended, and

On motion of Mr. Rich, referred to a joint committee.

The Speaker appointed Messrs. Woolley, Callister and Maughan said joint committee on the part of the House.

The following was received and read:

EXECUTIVE OFFICE, Utah,

January 12th, 1866. }

HON. JOHN TAYLOR, SPEAKER

OF THE HOUSE OF REPRESENTATIVES:

The bill entitled "An act repealing an act granting unto Charles Hopkins and others the right to build a bridge across the river Jordan;" and a memorial to Congress for the establishment of certain mail routes, I have this day approved, signed and deposited in the

office of the Secretary of the Territory. Very respectfully,

CHARLES DURKEE, Governor.

The following was received and read:

The Council does not concur in House resolution with regard to collecting Agricultural statistics, etc., and have passed the accompanying resolution on the subject. Do you concur? The Council has amended [H. F. No. 27.] Do you concur in the amendments.

Very Respectfully,

GEO. A. SMITH, President of the Council.

Said resolution was read, and,

On motion of Mr. Woolley, the House concurred therein.

Said bill, H. F. No. 27.] "An act to amend an act to incorporate Irrigation Companies," was read as amended, and,

On motion of Mr. Rockwood, the amendments were concurred in. [H. F. No. 31.] "An act to incorporate the City of Wellsville," was taken up and read the second time.

Said bill was read the third time by its title.

The title was read and approved.

Mr. Farr, Chairman of the committee on Judiciary, to whom was referred [H. F. No. 23.] "An act to provide for the establishment and support of Common Schools," reported the same back with amendments and recommended its passage.

Said bill was taken up and read the second time as amended, pending the consideration of which, the House adjourned till 2 p.m.

2 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

"An act to provide for the establishment and support of common schools," pending the consideration of which the House adjourned, was taken up on its second reading.

Said bill was read the second time by its title.

The title thereof was read, amended and so passed.

A message was received from the Council, announcing their reconsideration, and amendment of the Moroni charter.

Said charter was read as amended; and,

On motion of Mr. Farr, the House concurred with the Council amendments thereto.

The following was received and read:

The Council have appointed Councilors Carrington, R. Snow and

Cannon, a committee of conference to meet with the House committee.

Very Respectfully,

GEO. A. SMITH,

President of the Council.

A message was received from the Council and read, announcing their non-concurrence in House memorial to the Hon. Secretary of the Interior on Indian Affairs, and their substitution of [C. F. No. 19.] in lieu thereof.

[C. F. No. 19.] Memorial to the Secretary of the Interior, was read, and the House concurred with the Council in the adoption thereof.

[C. F. No. 17.] "An act concerning Notaries Public," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time by its title.

The following was received and read:

Your committee to whom was referred [C. F. No. 10.] "An act authorizing the Attorney General and District Attorneys to appoint deputies," would respectfully ask leave to report back said bill with an accompanying substitute therefor, and recommend the passage of the same.

Very Respectfully,

LORIN FARR,

Chairman of Committee on Judiciary.

Said substitute bill "An act authorizing the Attorney General, District and County Attorneys to appoint deputies," was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title.

The title of the same was read and approved.

The following was received and read:

Your special committee to whom was referred [H. F. No. 6.] "An act regulating stray pounds and for other purposes," have conferred with a like committee of the Council, and beg leave to report the bill back with amendments in the tenth and twelfth sections and recommend its passage.

Said bill, [H. F. No. 6.] was read as amended, and,

On motion of Mr. Farr, the bill was laid on the table and the committee instructed to continue their labors.

Mr. Farr, Chairman of committee on Judiciary, to whom was referred "An act concerning costs and fees of Courts, and for other purposes," respectfully reported back the same and recommended the passage thereof.

Said bill was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title and so passed.

The title was read and approved.

The following was received and read:

Your committee on Judiciary, to whom was referred "An act concerning costs and fees of Courts and for other purposes," would respectfully report back said bill without amendments and recommend its passage.

Very Respectfully,

LORIN FARR,

Chairman of committee on Judiciary.

Said bill was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title.

The title was read and approved.

The following was received and read:

Your committee, to whom was referred the petition of Mr. Evans, praying for an appropriation of two thousand dollars, to assist in completing the road around the Point of Mountain in Utah and Salt Lake counties, beg leave to recommend that 1,000 dollars be inserted in the Territorial Appropriation Bill.

W. S. SNOW, Chairman.

Seconded and carried.

The following was received and read:

Mr. Snow, Chairman of the committee on Roads, etc. to whom was referred petition of Mr. Jennings, praying for an appropriation of \$8,000, to repair the State Road and bridges between Salt Lake City and Big Cottonwood, and \$5,000 for the purpose of improving the road running west of Jordan, reported the petition back and recommended that \$1,500 be placed in the Territorial Appropriation Bill, to be expended on the State Road, and \$1,000 to repair the road running west of Jordan river, toward Tooele City.

On motion of Mr. Rockwood, the committee were instructed accordingly.

Mr. Woolley reported [H. F. No. 6.] "An act regulating Estray Pounds and for other purposes," as amended by committee of conference, which was read as amended, and passed.

The title of said bill was read and approved, and the bill so passed. A message was received from the Council, announcing their reconsideration and amendment of the Militia bill.

The Council has amended "An act to incorporate Logan Canyon Road Company." Do you concur in the amendments?

Yours Respectfully,

GEO. A. SMITH,

President of the Council.

[C. F. No. 6.] "An act concerning the Militia," was read as amended, and,

On motion of Mr. Maughan, the amendments thereto were concurred in,

The minutes were called for, read and accepted.

On motion of Mr. Cluff, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

—o—
WEDNESDAY, JANUARY 17, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,

Jan. 17, 1866, 10 a.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Richards reported, a "Resolution authorizing the Auditor to close certain accounts," which was read, and,

On motion of Councilor Carrington, the report was accepted, and the resolution passed, and was sent to the House for concurrence.

(H. F. No. 28.) "An act concerning fees of courts, and for other purposes," was again taken up on its second reading, and,

On motion of Councilor Carrington, was referred to the committee on revenue.

(H. F. No. 32.) "An act authorizing the Attorney General, District, and County Attorneys to appoint deputies," was read, and,

On motion of Councilor Harrington, was referred to the committee on judiciary.

On motion of Councilor Harrington, the Council adjourned until
2 p. m.

2 p. m.

Council resumed its session.

On motion of Councilor E. Snow, the committee on claims and appropriations, were instructed to insert in the Territorial appropriation bill the sum of three thousand dollars, to aid in the completion of the Artesian Well, in St. George, Washington county, and three thousand dollars to aid in the completion of the Artesian Well in Great Salt Lake City, G. S. L. county.

Councilor Carrington, to whom was referred [H. F. No. 32] "An act authorizing the Attorney General, &c.," reported back the same with a recommendation that the Council do not concur in its passage, but report back [C. F. No. 10.] upon the same subject amended, recommending its passage as amended, which was taken up on its first reading as amended, and,

On motion of Councilor E. Snow, passed its second reading, and,

On motion of Councilor Harrington, the bill passed its third reading by its title, and was sent to the House for concurrence.

The following message from the House was received and read:

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 17, 1866, }

HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House of Representatives have passed (H. F. No. 24.) "An act to amend an act entitled An act pertaining to damage done by animals, and providing for fencing," also,

Your bill [C. F. No. 8.] "An act amending an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts," which are herewith enclosed.

Very respectfully,

JOHN TAYLOR, Speaker.

Councilor Hyde, chairman of committee on Corporations, to whom was referred [H. F. No. 31.] "An act to incorporate the city of Wellsville," reported the same back with amendments, and recommended the passage of the same as amended, which was read, and,

On motion of Councilor Harrington, was read the second time by sections, and,

On motion of Councilor Woodruff, passed its third reading by its title, and was sent to the House for concurrence in the amendments.

[H. F. No. 24.] "An act to amend an act entitled an act pertain-

ing to damage done by Animals and providing for Fencing," was taken up on its first reading, and,

On motion of Councilor Woodruff, passed to its second reading by sections, and,

On motion of Councilor Harrington, was laid on the table until to-morrow.

The following was received and read:

Messrs. Maughan and Woolley are appointed a committee of conference, on your amendments to the charter for the Logan Canyon Road Company.

Very Respectfully.

JOHN TAYLOR, Speaker.

Councilors Johnson, Woodruff and Hyde, were appointed a committee to act with the House committee on the above subject.

The following was also received and read:

Your resolution authorizing the Auditor to close certain accounts has been concurred in by the House, and,

[H. F. No. 30.] "An act amending an act to incorporate the Weber Canyon Road Company," passed by the House, is forwarded for your action.

The House has amended your substitute bill [C. F. No. 10.] "An act authorizing the Attorney-General and District Attorneys to appoint deputies.

JOHN TAYLOR, Speaker.

[C. F. No. 10.] "An act authorizing the Attorney-General and District Attorneys to appoint deputies," was read as amended by the House, and,

On motion of Councilor E. Snow, the amendments were not concurred in, but was further amended and sent to the House for concurrence in the amendments.

On motion of Councilor Richards, the Committee on Appropriations, were instructed to insert in the Territorial bill the sum of three thousand dollars, or so much thereof as may be necessary, for the purpose of providing and furnishing an office for the Adjutant-General, with furniture, books, stationery, blanks, reports, and whatever the good of the service may require, as shall be directed by the Lieutenant-General.

On motion of Councilor Woodruff, the Council adjourned till 10 a. m. to-morrow. Minutes were called for, read and accepted. Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,

January 17th, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council announcing their amendment to "An act to incorporate the Logan Canyon Road Company," which was read and laid on the table.

Mr. Farr, Chairman of the committee on Judiciary, to whom was referred [C. F. No. 8.] "An act amending an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts," reported the same back and recommended its passage.

Said bill was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title. The title thereof was read and approved.

[H. F. No. 24.] "An act to amend an act pertaining to damage done by Animals and providing for Fencing," was taken up and read the first time.

Said bill was read the second time and amended.

Said bill was read the third time by its title.

The title was read and approved.

On motion, the House adjourned till 2 p.m.

House met pursuant to adjournment.

On motion of Mr. Rowberry, Mr. Woolley was called to the chair.

Roll called. Quorum present.

Mr. Rich, in behalf of the special committee who were appointed to act with a like committee from the Council, in the examination of the Auditor's books and Treasurer's accounts, reported that the Council had examined the Auditor's books, and recommended that the Council resolution pertaining thereto be concurred in, and asked further time to examine the Treasurer's books.

A message was received from the Council, announcing their passage of a resolution authorizing the Auditor to close certain accounts.

Said resolution was read the first time.

Said resolution was read the second time and adopted.

[H. F. No. 30.] "An act amending an act to incorporate the Weber Canyon Road Company," was taken up on its second reading.

Said bill was read the third time by its title.

The title was read and approved.

[H. F. No. 29.] "An act to incorporate the Provo Mercantile Company," was taken up on its second reading, and,

On motion of Mr. Farr, was referred to the committee on Incorporations.

Mr. Johnson presented, "An act authorizing Benj. F. Johnson to control the saw timber and mill sites in Summit Creek Canyon, Utah county," which was read, and,

On motion of Mr. West, was referred to the committee on Roads, etc.

The Speaker arrived and took the chair.

[H. F. No. 22.] "An act to incorporate the Logan Canyon Road Company," amended by the Council, was read, and,

Mr. Maughan moved, that a committee of conference be appointed in relation thereto.

The Speaker appointed Messrs. Maughan and Woolley said committee.

Mr. Snow, Chairman of the committee on Roads, etc., to whom was referred the petition of Silas Smith and 118 others, praying for a Territorial road from Fort Crittenden through Cedar Valley to Minersville, in Beaver county, reported adversely.

On motion of Mr. West, the report was accepted, and the committee discharged from the further consideration of the subject.

The following was received and read:

The Council does not concur in House substitute to Council file No. 10., "An act authorizing the Attorney-General, District and County Attorneys to appoint deputies," but have passed the accompanying substitute. Do you concur? The Council have amended the Wellsville Charter and so passed it. Do you concur in the amendments?

Very Respectfully,

GEO. A. SMITH,

President of the Council.

Said substitute bill [C. F. No. 10.] "An act authorizing the Attorney-General and District-Attorney to appoint deputies," was read and amended, and so passed.

The Wellsville Charter was read as amended, and,

On motion of Mr. Rowberry, the Council amendments thereto were concurred in.

Minutes called for, read and accepted.

On motion of Mr. Rich the House adjourned till to-morrow at 10

a.m.

Benediction by the Chaplain.

—o—

THURSDAY, JANUARY 18, 1866.

COUNCIL.

COUNCIL CHAMBER.

G. S. L. City, Jan. 18th, 1866, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

[H. F. No. 30.] "An act amending an act to incorporate the Weber Canyon Road Company," was read, and,

On motion of Councilor Hyde, was concurred in.

Councilor Hyde, chairman of the committee on Revenue, presented the following:

Your committee, to whom was referred [H. F. No. 28.] "A bill concerning Fees of Courts and for other purposes," beg leave to submit the accompanying amendments of the original statute, as a substitute for [H. F. No. 28.] and recommend its passage.

The bill was read as amended, and,

On motion of Councilor Carrington, the bill was laid on the table to come up in its order.

The following was received from the House and read:

The House of Representatives have concurred in your amendments to the "City of Wellsville Charter," but they do not concur in your last proposed amendments to [C. F. No. 10.] "An act authorizing the Attorney General and the District and Prosecuting Attorneys to appoint Deputies." They have also amended section 6 of "An act to incorporate the Logan Canyon Road Company." Do you concur in this amendment?

Very Respectfully,

JOHN TAYLOR, Speaker.

[H. F. No. 32.] "An act authorizing the Attorney General and District and Prosecuting Attorneys to appoint Deputies," was reconsidered, and,

On motion of Councilor Carrington, was concurred in.

[H. F. No. 24.] "An act to amend an act pertaining to damages done by Animals, and providing for Fencing," was taken up on its second reading by sections, and,

On motion of Councilor Harrington, was referred to the committee on Indian Affairs.

Councilor Richards presented the following report, which was read:

Your committee, appointed to act with a like committee from the House, to examine and compare the Auditors books, duplicates of Warrants and Report, and the Territorial Treasurer's books and redeemed Auditor's Warrants, in each case back to date of last official examination, destroy the redeemed Warrants, etc., respectfully report that certain unsettled accounts were found on the Auditor's books, which were opened by his predecessor and should have been closed by him but were not, and deeming it advisable to authorize the present Auditor to close the same, presented a resolution to that effect, which has passed both Houses.

Your committee has also compared the books, Warrants and Reports of Auditor and Treasurer, and finding the same correct, have taken possession of and destroyed redeemed Auditor's Warrants, to the amount named in the Treasurer's Report to wit: Thirty-eight thousand four hundred and five dollars and eighty-five cents.

F. D. RICHARDS, Council Committee.

On motion of Councilor Woodruff, the report was received and the committee discharged from further duties.

[C. F. No. 22.] "An act to amend an act concerning Costs and Fees of Courts and for other purposes," Approved Jan. 21, 1859, was taken up on its first reading, and,

On motion of Councilor Young, was read the second time by sections, and,

On motion of Councilor Harrington, passed its second reading, and,

On motion of Councilor Carrington, passed its third reading by its title, and was sent to the House for concurrence.

Councilor L. Snow, chairman of committee on Roads, Bridges, etc., to whom was referred the petition of L. H. Hatch and others, requesting an appropriation to establish stations on the route from Brigham City to Wellsville, reported the same back unfavorable thereto.

On motion of Councilor Harrington, the report was accepted and the committee discharged from further consideration of the subject.

The following was received from the House and read:

The House of Representatives have passed [C. B. No. 17.] "An act amending an act prescribing the manner of assessing and collecting Territorial and County taxes, and for other purposes," having amended section 4. Do you concur in the amendment?

They have passed [H. F. No. 33.] "An act in relation to Summit Creek Canyon, Utah County," which is now sent for your action thereon.

Very Respectfully,

JOHN TAYLOR, Speaker.

[C. F. No. 17.] "An act amending an act prescribing the manner of assessing and collecting Territorial and County taxes, and for other purposes," as amended by the House, was read, and,

On motion of Councilor Harrington, was referred to the committee on Revenue.

On motion of Councilor Johnson, the Council adjourned until 2 p.m.

2 p. m.

Council in session.

[H. F. No. 22.] "An act to incorporate the Logan Canyon Road Company," as amended by the House, was taken up and read, and,

On motion of Councilor Benson, the amendment was not concurred in, and,

On motion of Councilor E. Snow, was further amended and sent to the House for concurrence in the amendment.

Councilor Hyde, chairman of the committee on Revenue, to whom was referred [C. F. No. 17.] "An act amending an act prescribing the manner of assessing and collecting Territorial and County taxes, and for other purposes," approved Jan. 20th, 1865, reported the same back and recommended the concurrence of the Council in the House amendment, which was read, and,

On motion of Councilor Young, the first amendment to said bill was concurred in and the second amendment not concurred in.

Councilor Hyde, chairman of committee on Indian Affairs, to whom was referred [H. F. No. 24.] "An act to amend an act pertaining to damage done by animals and to provide for fencing," reported back the same amended, and recommended its passage as amended.

On motion of Councilor Johnson, the report was accepted, and the

bill was read, as amended, and,

On motion of Councilor L. Snow, the bill was not concurred in.

The following was received from the House and read:

The House of Representatives agree with your amendments to section 6, of [H. F. No. 22.] "An act to incorporate the Logan Canyon Road Company.

Also your amendment to section 4 of [C. F. No. 17.] so as to read "thirtieth day of November."

And have concurred in [C. F. No. 22.] as a substitute for [H. F. No. 28.] "An act to amend an act concerning fees of Courts and for other purposes."

Very Respectfully,

CHARLES C. RICH, Speaker pro. tem

On motion of Councilor Young, [C. F. No. 6.] "An act to incorporate the Wasatch Wagon Road Company," was reconsidered, and,

On motion of Councilor Young, the bill was laid on the table indefinitely.

Councilor L. Snow, chairman of the committee on Education, to whom was referred [H. F. No. 23.] "An act providing for the establishment and support of Common Schools," reported the same back amended and recommended its passage as amended.

On motion of Councilor Richards, the report was accepted, and the bill as amended passed its first reading, and,

On motion of Councilor Cannon, was taken up on its second reading by sections.

Councilor Richards presented, a resolution in regard to printing the Laws, etc., of this Session, which was read, and,

On motion of Councilor Carrington, was laid on the table to come up in its order.

Councilor Cannon presented, a resolution for convening the Legislative Assembly, which was read, and,

On motion of Councilor Carrington, was laid on the table to come up in its order.

On motion of Councilor Harrington, the committee on Appropriations were instructed to incorporate the sum of five hundred dollars in the Territorial Appropriation Bill, to reimburse Orson Hyde, for moneys expended in running the boundary line between Utah and California, in the year 1855, and to compensate him for three months services in running said line, which was done under the instruction of the Governor of the Territory.

Council adjourned until 6:30 p.m.

6:30 p. m.

Council resumed its session.

[H. F. No. 23.] "An act providing for the establishment and support of Common Schools," was again taken up on its second reading by sections, and,

On motion of Councilor Woodruff, the bill was read the third time by its title and so passed, and was sent to the House for concurrence in the amendments.

[H. F. No. 33.] "An act authorizing B. F. Johnson to control the saw timber and mill sites in Summit Creek Canyon, Utah county," which was read, and,

On motion of Councilor Carrington, was referred to the committee on Roads, etc.

On motion of Councilor E. Snow, the sum of twenty-five dollars was ordered to be inserted in the Territorial Appropriation Bill, to pay Thomas Bullock for copying Postal Map of Utah and Memorial, with accompanying schedules for Post Office Department.

[C. F. No. 28.] "An act to more clearly authorize the Surveyor General to give Certificates of his surveys, and to further legalize the Certificates he has given," was taken up on its first reading, and,

On motion of Councilor Young, was read the second time by sections, and,

On motion of Councilor Carrington, was read the third time by its title and so passed, and was sent to the House for concurrence.

Minutes called for, read and accepted.

On motion of Councilor Carrington, the Council adjourned until 10 a.m. to-morrow.

Benediction by the Chaplain.

HOUSE

REPRESENTATIVES' HALL, G. S. L. City,
January 18, 1866, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received and read:

The Council has appointed Councilors Johnson, Woodruff and Hyde, a committee of conference, to meet with the House committee on the amendments to the Logan kanyon road charter

The Council does not concur in your amendments to (C. F. No. 10.) an act relating to attorneys, &c., but have further amended the same. Do you now concur?

Very Respectfully,

GEO. A. SMITH,

President of the Council.

Said bill (C. F. No. 10.) "An act relating to Attorneys, &c.," was read as amended, and,

On motion of Mr. Farr, said amendments were not concurred in.

Mr. Maughan, chairman of the committee of conference, to whom was referred (H. F. No. 22.) "An act to incorporate the Logan Kanyon Road Company," reported the same back with amendments and recommended its passage.

Said bill was read as amended, and,

On motion of Mr. Rowberry, said amendments were concurred in.

The following was received and read:

Your committee, to whom was referred (H. F. No. 29.) "An act entitled an act to incorporate the Provo Mercantile Co.," beg leave to say, that in our opinion the lateness of the term, renders it impracticable for this Assembly to give the bill that consideration which its magnitude demands, being satisfied from investigation that in order to more perfectly enact such a law as therein contemplated; many alterations, and amendments are necessary; which time and press of prior business precludes the mature deliberation of your committee and the House thereon, at the present term of this Legislative Assembly; and would recommend that the act lay upon the table as a part of the unfinished business of the session.

Most Respectfully,

J. C. WRIGHT,

Chairman of Committee on Incorporations.

On motion of Mr. Maughan, the report was received, and the committee discharged from the further consideration of the subject.

A message was received from the Council, announcing their concurrence in (H. F. No. 30.) "An act amending an act entitled an act to incorporate the Weber Kanyon Road Company."

Mr. Rich, chairman of the special committee, to whom was referred the duty of examining the Treasurer's books in connexion with the Council committee, reported that said committee had performed the duties assigned them, and having found his report correct they destroyed the redeemed warrants.

On motion of Mr. Rockwood, the report was received and the committee discharged.

Mr. Rockwood moved, that the report of the Deseret Agricultural and Manufacturing Society, on Irrigation, Agricultural and Horticultural Statistics be printed in the Minutes, and that the Public Printer be authorized to insert in the Journals of the Assembly said report with accompanying tables of statistics.

Seconded and carried.

TO THE HONORABLE THE LEGISLATIVE ASSEMBLY OF THE

TERRITORY OF UTAH.

GENTLEMEN:—By a resolution of last session the papers accumulated by the Joint Committee on Irrigation were turned over to the President and Directors of the Deseret Agricultural and Manufacturing Society who were authorized and required to obtain a thorough report on Irrigation &c., and report to this Session of the Legislature.

Pursuant thereto, Irrigation blanks, similar to those of last year, were printed and distributed throughout the Territory, many of which were not returned until the setting of the Legislature, although on each blank was a printed request that the return thereof should be made at latest by Nov. 1st, which would have allowed ample time to tabulate and present the same during the first week of the session.

The irrigation blanks issued last year contained columns for agricultural as well as horticultural reports, which were generally filled up. These returns this year have been tabulated into three distinct divisions: first, on irrigation, secondly, on agriculture, and thirdly, on horticulture, with a report annexed containing the names of parties who have furnished the returns from which the statistics are tabulated.

The county table of the irrigation statistics show that there has been constructed two hundred and seventy-seven main canals; in length amounting to one thousand and forty-three miles and one hundred and two rods, at a mean width of five feet six inches, and mean depth of two feet two inches, which water one hundred and fifty-three thousand nine hundred and forty-nine acres of land, at a cost of one million seven hundred and sixty-six thousand nine hundred and thirty-nine dollars; and that there is in course of construction canals, at an estimated cost of nine hundred thousand dollars.

The county table of agricultural statistics represent eighty one thousand three hundred and forty-seven acres of cereal crops raised the past year, also ten thousand nine hundred acres in sorghum and

root crops, five hundred and fifty-one acres in cotton, and sixty-five thousand and forty-four acres of meadow.

The horticultural county table represents seven hundred and seventeen and a half acres in apple orchards, with nine hundred and sixty-two and a half acres in peach orchards, one hundred and seventy-seven acres in grapes, and two hundred and eighty-nine acres in other kinds of fruit.

Statistics generally are received with a great deal of allowance, as the statish, however accurate, is dependent to a great extent on the accuracy of his informants; this, however, has been measurably avoided by the Messrs. Wilford Woodruff and Franklin D. Richards visiting much of the country personally, and taking the reports themselves from the parties who have done the work or superintended the same. It is, however, apparent to those acquainted with the history of the settlement of this country, that the report of the cost of irrigation ditches are very moderate, and where accuracy has not been attained, it has been because the original cost of many ditches was never kept, and some ditches now unused are not reported, as those who made them are removed to other parts of the Territory, and no account of the expense is now accessible.

The returns of tabulated canals only include the main ditches. It has been estimated that the cost of canals or water courses constructed by private enterprise for the distribution of the water upon the lands and crops, will nearly equal the amount returned as expended on the main canals.

A degree of uniformity in reports has been attained that show that great care and attention has been bestowed by most of the informants; in a few cases, however, the meadow land has not been returned in the column "number of acres irrigated," probably because such meadow land has not been watered by canals; some settlements report their main canals in aggregate, others in detail, and have numbered them.

There are a few settlements from which reports were not received up till December 30th; the reports of last year in these cases have been substituted and altered by the Representatives from the County delinquent, as in their judgment would represent the true statistics for this year.

Much labor has been bestowed to tabulate the returns received from every settlement, and it is now for the Assembly to direct whether an annual report of agricultural and horticultural statistics

shall be made, and whether the expenses annually accruing on irrigation canals shall be procured and tabulated.

One thousand dollars was appropriated last year, to gather and compile these statistics; up to date, the expenses have been three hundred and fifty dollars, leaving a balance in the Territorial Treasury of six hundred and fifty dollars on this appropriation.

Respectfully submitted,

W. WOODRUFF,

President of the Deseret Agricultural
and Manufacturing Society.

ROBERT L. CAMPBELL, Secretary.

G. S. L. City, Jan. 14th, 1866.

COUNTY TABLE

Showing the expense of the Main Irrigating Canals, and the amount of land irrigated by the same in Utah Territory.

COUNTIES.	No. of Canals	Mean Length Rods	Mean Width ft. in.	Mean Depth ft. in.	Mean inclination per mile.	Total Length Rods	Cost of Construction including dams.	No. of acres irrigated	Estimated cost of progress	REMARKS.
Beaver	3	1,706	5 0	2 0	15 8	5,120	\$36,060	3,321		
Box Elder	7	845	6 0	2 6	48 0	5,920	115,000	3,588		
Cache	44	1,130	5 6	1 10	4 6	49,760	323,640	29,329	\$58,000	
Davis	8	950	3 3	1 6	32 6	7,800	30,300	3,754	500	
Great Salt Lake	29	1,793	7 8	2 2	19 10	48,422	374,962	18,574	512,000	
Iron	14	720	5 7	2 4	35 10	10,080	62,400	4,259	5,000	
Juab	1	2,240	8 0	3 6	25 0	2,240	33,000	3,319		
Kane	21	866	2 8	1 8	7 4	18,200	42,775	1,604	3,000	
Millard	10	1,080	6 9	2 7	20 0	16,800	42,580	6,117	1,000	
Morgan	10	1,136	5 4	1 6	7 4	11,360	21,800	2,946	7,000	
Pi-Ute	1	800	5 0	3 0	12 0	800	2,000	1,440	2,500	
Richland	16	687	3 5	1 6	3 11	11,000	15,400	4,133	42,000	
Sanpete	30	1,127	6 10	2 4	23 5	33,812	145,197	23,303		
Sevier	3	1,673	6 8	2 2	3 8	5,020	13,661	1,993	500	
Summit	5	895	5 0	2 9	6 6	3,580	9,300	1,982	11,090	
Tooele	4	2,040	5 4	1 8	37 6	8,160	33,000	2,217		
Utah	31	1,252	7 1	1 10	11 1	38,808	167,182	23,245	144,430	
Wasatch	6	600	4 5	1 10	9 2	3,600	8,775	5,861	20,300	
Washington	19	1,296	5 3	2 4	16 7	24,640	142,481	3,875	89,500	
Weber	15	1,929	7 3	2 4	7 10	28,940	152,276	9,089	1,000	
	277	1,268	5 6	2 2	2 17	433,862	\$1,766,939	153,949	\$897,730	

AGRICULTURAL STATISTICS, UTAH TERRITORY, 1865.

COUNTIES.	No. of acres in wheat.	Average yield $\frac{1}{2}$ acre in bushels	No. of acres in barley.	Average yield $\frac{1}{2}$ acre in bushels	No. of acres in oats.	Average yield $\frac{1}{2}$ acre in bushels	No. of acres in corn.	Average yield $\frac{1}{2}$ acre in bushels	No. of acres in sorghum.	Average yield $\frac{1}{2}$ acre in gallons	No. of acres in potatoes.	Average yield $\frac{1}{2}$ acre in bushels	No. of acres in carrots.	Average yield $\frac{1}{2}$ acre in bushels	No. of acres in beets.	Average yield $\frac{1}{2}$ acre in bushels	No of acres in sundry small crops.	Average yield $\frac{1}{2}$ acre in bushels	No. of acres in cotton.	Average yield $\frac{1}{2}$ acre in lbs.	No. of acres in meadow.	Average yield $\frac{1}{2}$ acre in tons.	REMARKS.	
Beaver	1,781 21	112 20	112 20	185 24	185 24	15 20	156 91	150 62	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	5 150	
Box Elder	1,845 30	808 33	808 33	494 44	494 44	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	288 29	
Cache	10,278 23	856 29	856 29	2,478 34	2,478 34	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	1,750 20	
Davis	1,947 26	201 27	350 32	402 22	351 107	116 101	18 250	9 283	12 300	857	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	1,618 12	
G. & Lake	3,990 23	633 26	633 26	910 31	1,106 28	406 68	5,600	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	
Iron	2,315 20	184 25	181 21	271 18	100 75	125 100	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	
Juab	1,000 25	3 25	3 25	200 30	250 15	100 75	125 100	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	
Kane	416 17	6 40	6 40	7 20	425 16	156 93	58 100	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	2 500	
Millard	2,511 21	162 28	162 28	223 31	230 23	103 60	112 160	10 257	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	3 200	
Morgan	1,272 27	127 35	127 35	437 39	9 27	30 3	175 300	94 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	50 300	
Pi-Ute	890 15	10 50	10 50	225 10	225 10	5 5	115 16	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	
Richland	2,050 40	550 40	550 40	470 40	470 40	115 16	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	
Sanpete	10,122 20	80 22	80 22	290 30	290 30	115 16	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	
Sevier	1,185 22	6 30	6 30	242 37	242 37	25 20	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	3 3	
Summit	810 26	37 37	37 37	102 40	102 40	16 150	3 350	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	4 200	
Tecoma	700 26	10 50	10 50	100 40	100 40	490 24	18 70	55 212	17 506	10 425	35	35	35	35	35	35	35	35	35	35	35	35	35	
Utah	7,334 19	818 27	818 27	1355 26	2107 17	522 82	598 107	11 400	9 112	324	324	324	324	324	324	324	324	324	324	324	324	324	324	
Wasatch	988 22	25 25	25 25	297 38	297 38	1 15	74 180	2 250	2 190	12 62	12 62	12 62	12 62	12 62	12 62	12 62	12 62	12 62	12 62	12 62	12 62	12 62	12 62	
Washington	700 13	19 15	19 15	13 23	926 19	490 74	99 185	15 337	13 234	23 37	384 150	384 150	384 150	384 150	384 150	384 150	384 150	384 150	384 150	384 150	384 150	384 150	384 150	
Weber	3,428 21	462 30	462 30	662 28	1085 20	239 78	221 127	12 283	8 205	64 172	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	2,873 12	
	55,533 23	4081 30	11031 31	9502 20	2808 79	4832 130	454 844	305 245	9221 115	551 151	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	05,044 12	

3 acres of rye and
1 of hemp.

HORTICULTURAL STATISTICS, UTAH TERRITORY, 1885.

Recapitulation by Counties.

COUNTY.	No. of acres in apples.	Average yield per acre in bushels.	No. of acres in peaches.	Average yield per acre in bushels.	No. of acres in grapes.	Average yield per acre in lbs.	No. of acres in other kinds of fruit.	Average yield per acre in bushels.	REMARKS.
Box Elder	11		92	175	5		25½	250	
Cache	134		7				66	20	
Davis	38½	225	68	163			8½		
G. S. Lake	203	145	171	150	2	300	56	76	
Iron	8		3				2	100	
Juab	20		3	300			16	200	
Kane	37		52	87			25		
Millard	57		10	52	75		10	100	
Sanpete	7		6				5		
Tooele	17	92	120	233			30	500	
Utah	82		116½	232½	1½		9½		
Washington	52	20	239	366	92	5200	17	50	
Weber	51	33	75	81	2		18½	12	
	717½	103	962½	184	177½	2750	289	145	

Mr. Rockwood, in behalf of the committee on roads, &c., to whom was referred the petition of Benjamin F. Johnson, sen., reported back a bill for "An act in relation to Summit Creek Canyon, Utah county."

Said bill (H. F. No. 33.) "An act in relation to Summit Creek Canyon, Utah county," was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title, and so passed.

The title was read and approved.

The following was received and read:

Your committee, to whom was referred (C. F. No. 17.) "An act amending an act prescribing the manner of assessing and collecting Territorial and County Taxes, and for other purposes," would respectfully ask leave to report back said bill with amendments to section four of said bill.

Very Respectfully,

LORIN FARR,

Chairman of Committee on Judiciary.

Said bill (C. F. No. 17.) "An act amending an act prescribing the manner of assessing and collecting Territorial and County Taxes, and for other purposes," was read as amended.

Said bill was read the second time.

Said bill was read the third time by its title and so passed.

The title thereof was read and approved.

On motion of Mr. Callister, the House adjourned till 2 p. m.

2. p. m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

The following was received and read:

The Council does not concur in [H. F. No. 28.] "An act concerning fees of courts, and for other purposes," but beg leave to submit for your action thereon, the accompanying bill as a substitute for the same. The Council concurs in your [H. F. No. 32.]

Very Respectfully,

GEO. A. SMITH,

President of the Council.

Said substitute bill [C. F. No. 22.] "An act to amend an act concerning fees of courts, and for other purposes," was read the first time.

Said bill was read the second time, and,

On motion of Mr. Jennings, the House concurred with the Council in the passage of the same.

The following was received and read:

The Council does not concur in the House amendments to sec. 6 of [H. F. No. 22.] "An act to incorporate the Logan Canyon Road Company," but has further amended the section.

Do you concur in the amendments.

Very Respectfully,

GEO. A. SMITH,

President of the Council.

The Council amendments to said bill [H. F. No. 22.] were read and concurred in.

Mr. Peterson presented, a "Resolution concerning an appropriation for Weber Canyon Road," which was read the first time.

Said bill was read the second time and laid on the table.

The following was received and read:

The Council does not concur in House amendments to section 4 of (C. F. No. 17.) "An act amending an act relating to taxes, &c.," and respectfully ask that the time as originally set forth in said section be adopted. The Council concurs in the final amendment to said bill.

Do you concur in the time "thirtieth day of November?"

Very Respectfully,

GEO. A. SMITH,

President of the Council.

Said bill (C. F. No. 17.) "An act amending an act prescribing the manner of assessing and collecting Territorial and County Taxes, and for other purposes," was read as amended, and,

On motion, concurred in.

Substitute bill (C. F. No. 22.) "An act to amend an act concerning fees of courts, and for other purposes," was read the first time.

Said bill was read the second time, and concurred in.

The following was received and read;

Your committee, to whom was referred the following letter of His Excellency the Governor:

EXECUTIVE OFFICE, Utah,
January 11th, 1866.

HON JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

Enclosed, I forward to you a petition of John W. Kerr and others, coupled with a proposition to construct a turnpike road through Parley's Canyon, to Weber river, which I submit to the consideration of the Legislative Assembly.

Very respectfully,

CHARLES DURKEE, Governor.

With the petition for a charter, referred to in the letter of His Excellency—made by John W. Kerr, Geo. Bodenburg, Joseph R. Walker, William Gilbert, Samuel S. Walker, Sam. Kahn, David F. Walker, Frank B. Gilbert, W. H. Walker, and Horace Wheat, beg leave to report that after due consideration of the petition, it

was thought better to ascertain whether the parties desiring this charter were prepared to enter into bonds of the same amount and kind as were required of the chartees in the bill for the construction of the Wasatch Wagon Road under consideration by your Honorable body—for the indemnification of the Territory, in case of failure on their part to carry out the terms of the charter asked for by them; that your committee, with that view, waited upon two of the above-named gentlemen, and informed them that before we could consistently take action upon their petition we desired to know whether they were prepared to give bonds for the faithful performance of the terms of the charter, which they desired; whereupon they promised to send your committee a written communication on Tuesday, 16th inst.; but, as your committee failed to receive the promised communication, the following letter was forwarded to them:

COMMITTEE ROOM, HOUSE OF REPRESENTATIVES,
January 16th, 1866. }

Messrs. John W. Kerr, George Bodenburg, Joseph R. Walker, Wm. Gilbert, Samuel S. Walker, Sam. Kahn, Daniel F. Walker, Frank B. Gilbert, W. H. Walker, and Horace Wheat.

GENTLEMEN:—We expected from you, as per agreement of Messrs. Kerr and Walker, a written statement, obligating your contemplated company to enter into bonds, in case the Legislative Assembly passed your bill, or otherwise to state, officially in writing, that you withdrew your application. We ask from you the same as from the other applicants for the charter; a sufficient indemnity for the Territory. We give you till to-morrow to decide upon this question, after which time, we cannot consider your bill.

Very Respectfully, Gentlemen, Yours, etc.,

W. S. SNOW,

Chairman of Committee on Roads, Bridges, etc.

To this letter, your committee have received neither reply nor communication of any kind, and, therefore, do not feel authorized to favorably recommend a charter of such magnitude and importance to the Territory to be entrusted by Legislative action, to parties who (for aught that we know, from anything that has come before your committee) may be entirely irresponsible.

With this report, your committee would beg to be released from further consideration of this subject.

Very Respectfully,

W. S. SNOW,

Chairman of Committee on Roads, Bridges and Ferries.

On motion of Mr. Rowberry, the report was accepted, and the committee discharged from the further consideration of the subject.

The following was received and read:

TO THE HONORABLE SPEAKER AND MEMBERS OF THE
HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your joint committee of the Council and House, beg leave to present the following Appropriation Bill.

E. T. BENSON,

CHARLES C. RICH.

Said Territorial Appropriation Bill was read the first time.

Said bill was read the second time, pending the consideration of which, the House adjourned till 6.30 p.m.

6:30 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

The Territorial Appropriation Bill, pending the consideration of which the House adjourned, was taken up and read the second time.

Said bill passed its third reading by its title.

The following was received and read:

[C. F. No. 6.] "An act to incorporate the Wasatch Wagon Road Company was reconsidered on motion of Councilor Young, and laid on the table indefinitely.

Very respectfully,

GEO. A. SMITH, President of the Council.

Mr. J. F. Smith presented, a bill for "An act establishing a Territorial road from Great Salt Lake City to Wanship, Summit county," which was taken up and read, and referred to the committee on Roads, etc.

Resolution concerning an appropriation for Weber Canyon Road was taken up and read the second time.

Said resolution was read the third time and adopted.

The minutes were called for, read and accepted.

On motion the House adjourned till to-morrow at 10 a. m.

Benediction by the Chaplain.

JAN. 19.]

JOURNALS.

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FRIDAY, JANUARY 19, 1866.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,

January 19, 1866, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House and read:

The House of Representatives have passed the Territorial Appropriation Bill, and the resolution concerning an appropriation for Weber Kanyon road, which are sent for your action thereon.

Very Respectfully,

JOHN TAYLOR, Speaker.

House resolution appropriating funds for Weber Kanyon road, was read, and,

On motion of Councilor Carrington, was concurred in, and the House notified accordingly.

The Territorial Appropriation Bill was taken up and read the first time.

Councilor Johnson, Chairman of committee on Penitentiary, presented, resolution in regard to the Penitentiary, which was read.

The following was received and read:

The House of Representatives have amended [C. F. No. 23.] "An act to more clearly authorize the Surveyor-General to give certificates of his Surveys, and to further legalize the certificates he has given." Do you concur in the amendment?

And have concurred in your amendments to [H. F. No. 23.] "An act providing for the establishment and support of Common Schools"

They have also passed [H. F. No. 36.] "An act establishing a Territorial Toll Road from Great Salt Lake City to Wanship, Summit county," which is sent for your action thereon.

Very Respectfully,

JOHN TAYLOR, Speaker.

[C. F. No. 23.] "An act to more clearly authorize the Surveyor-General to give certificates of his surveys and to further legalize the certificates he has given," was read as amended by the House.

[H. F. No. 36.] "An act establishing a Territorial road from G. S. L. City to Wanship, Summit county," was taken up and read the first time, and,

On motion of Councilor E. Snow, the bill was concurred in, and the House notified of the Council's action thereon.

Councilor Lyman presented, a memorial to the Postmaster-General, in relation to mail routes, which was read, and,

On motion of Councilor E. Snow, was adopted and sent to the House for concurrence.

Councilor Woodruff, Chairman of committee on Trades and Manufactures, to whom was referred the petition of John Picknell and others, asking for an act to be passed "for the collection of debts," reported unfavorable to the same, and,

On motion of Councilor Hyde, the report was accepted and the committee discharged from further consideration of the subject.

Councilor Richards presented, a memorial in relation to convening the next annual session of the Legislative Assembly, which was read, and,

On motion of Councilor Benson, was passed.

Councilor L. Snow, Chairman, of committee on Roads, Bridges, Kanyons, etc., to whom was referred [H. F. 33.] "An act in relation to Summit Creek Canyon," reported back the same, and a substitute for the said bill, recommending the passage of the substitute, which was read, and,

On motion of Councilor Young, the report was accepted and the committee discharged from further consideration of the subject.

[C. F. No. 26.] "An act in relation to Summit Creek Canyon, Utah county," was taken up on its first reading, and,

On motion of Councilor Carrington, was read the second time by sections, and,

On motion of Councilor Young, was read the third time by its title and so passed, and sent to the House for concurrence,

Councilor Harrington, Chairman of committee on Revision, reported the digest of the Laws of Utah, which was read, and,

On motion of Councilor Young, the report was received and the committee discharged from further duty.

Adjourned till 2 p.m.

2 p.m.

Council resumed its session.

Councilor Hyde, Chairman of the committee on Corporations, to whom was referred [H. F. No. 26.] "An act changing the boundaries of Manti City in Sanpete county, reported the same back amended and recommended its passage, the bill was read, and,

On motion of Councilor Hyde, the bill passed as amended and was sent to the House for concurrence in the amendments.

[C. F. No. 23.] "An act to more clearly authorize the Surveyor-General to give certificates of his surveys, and to further legalize the certificates he has given," was taken up as amended by the House, and,

On motion of Councilor Carrington, the amendment was not concurred in, and the House requested to further consider the subject.

A resolution in relation to the Penitentiary was taken up and read, and,

On motion of Councilor Richards, passed, and was sent to the House for concurrence.

Councilor Carrington, Chairman of the committee on Judiciary, to whom was referred [H. F. No. 13.] "An act in relation to liens of Mechanics and others," reported back the same with a recommendation of non-concurrence in said bill, but presented a substitute and recommended its passage.

On motion of Councilor Benson, the report was accepted and the committee discharged from further duties in relation to said bill, and the substitute read the first time.

The following was received from the House and read: .

The House of Representatives have passed [C. F. No. 26.] "An act in relation to Summit Creek Canyon, Utah county," and added an additional route from Nephi to Manti, in your memorial to the Postmaster-General. Do you concur? And have concurred in your resolution concerning the sixteenth annual session of the Legislative Assembly, and your amendment to [H. F. No. 26.] "An act changing the boundaries of Manti city, in Sanpete county," also reconsidered [C. F. No. 23.] which are herewith returned.

Very Respectfully,

JOHN TAYLOR, Speaker.

The Council resolution in relation to mail routes, was read as amended by the House, and further amended, and sent to the House for concurrence in the amendment.

The "Act creating liens," was taken up on its second reading, and,

On motion of Councilor Woodruff, was read the third time by its title and so passed, and sent to the House for concurrence.

[H. F. No. 84.] Territorial Appropriation Bill was taken up on its second reading by sections, and during the reading, the following was received and read:

The House of Representatives have passed resolution in relation to printing the laws of the present session.

The section 2 of "An act to amend an act to incorporate the Ogden Canyon Road Company," has passed the House and afterwards has been withdrawn by the presenter. Do you agree?

They have also passed your [C. F. No. 24.] resolution pertaining to the Penitentiary.

Also [H. F. No. 37.] "An act prescribing the term of certain officers and designating where bonds shall be filed."

They are sent for your action thereon.

Very respectfully,

JOHN TAYLOR,
Speaker.

On motion of Councilor Hyde, the Council concurred in the withdrawal by the presenter of section 2, of "An act to amend an act to incorporate the Ogden Canyon Road Company."

Pending the reading of the Territorial Appropriation Bill, the Council adjourned until 6.30 p.m.

6:30 p.m.

Council resumed its session.

The Appropriation Bill was again taken up on its second reading by sections, pending which,

Councilor E. Snow presented, memorial to Congress, for an appropriation for roads, which was read, and,

On motion of Councilor Lyman, was adopted and sent to the House for concurrence.

Councilor E. Snow presented, memorial to Congress for donation of town sites in aid of a Common School Fund, which was read, and,

On motion of Councilor Cannon, was adopted and sent to the House for concurrence.

Councilor Lyman, Chairman of the committee on Petitions and Memorials, presented, memorial to Congress to repeal an act entitled "An act to punish and prevent the practice of Polygamy," which was read, and,

On motion of Councilor Young, was adopted and sent to the House for concurrence.

Councilor Carrington presented, a petition from the Mayor and City Council of Great Salt Lake City, praying for an appropriation to reimburse the City for funds expended on the State Road, running through the City, which was read and laid on the table.

The following were received and read:

EXECUTIVE OFFICE, Utah,
January 17th, 1866.

HONORABLE GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

"The bill entitled "An act amending an act to provide for the appointment of a Territorial Treasurer and Auditor of Public Accounts," and also a bill entitled, "An act concerning Notaries Public," and also a memorial to Hon. James Harlin, Secretary of the Interior, I have this day approved, signed and deposited in the office of the Secretary of the Territory.

CHARLES DURKEE, Governor.

EXECUTIVE OFFICE, Utah,
Jan. 17th, 1866.

HON. GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act to incorporate the City of Moroni, in Sanpete County," also a resolution authorizing the Deseret Agricultural and Manufacturing Society, to collect statistics.

CHARLES DURKEE, Governor.

EXECUTIVE OFFICE, Utah Territory,
January 19th, 1866.

HONORABLE GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

The bill entitled "An act to amend an act concerning costs and fees of Courts and for other purposes," approved January 21st 1859, and Resolution authorizing the Auditor to close certain accounts, I have this day approved, signed and deposited in the office of the Secretary of the Territory.

CHARLES DURKEE, Governor.

The following was read:

The House of Representatives have not concurred in your substitute bill [C. F. No. 27.] "An act creating liens," and have adopted your memorial to the Postmaster-General for mail routes, also your memorial to Congress for a donation of town sites in aid of a Common School Fund, and your memorial to Congress for an appropriation for roads, which are herewith enclosed.

Very Respectfully,

JOHN TAYLOR, Speaker.

Councilor Hyde presented, [C. F. No. 31.] "An act amending an act pertaining to damage done by animals, and providing for fencing," which was read and laid on the table.

The following was received and read:

EXECUTIVE OFFICE, Utah,
January 19th, 1866.

HON. GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

I have this day signed and deposited in the office of the Secretary of the Territory, the following bills:

"An act to more clearly authorize the Surveyor-General to give certificates of his surveys and to further legalize the certificates he has given."

Also "An act to amend an act to incorporate the Ogden Canyon Road Company, approved Jan. 20th, 1865.

Also a resolution pertaining to the Penitentiary.

Also a resolution convening the sixteenth annual session of the Legislative Assembly.

Respectfully Yours,

CHARLES DURKEE, Governor.

On motion of Councilor Young, the Appropriation Bill was passed as amended and sent to the House for concurrence.

[C. F. No. 31.] "An act amending an act pertaining to damage done by animals and providing for fencing," was taken up and read the second time by sections, and,

On motion of Councilor Woodruff, passed its third reading by amending its title, to "An act providing for fencing under certain conditions," and sent to the House for concurrence.

Councilor Carrington, to whom was referred [H. F. No. 16.] "An act in relation to repairing the Penitentiary, etc.," reported the same back amended, and recommended its passage as amended, which was read as amended, and,

On motion of Councilor Cannon, passed, and was sent to the House for concurrence in the amendments.

[H. F. No. 37] "An act prescribing the term of certain officers and designating where their bonds shall be filed," was read the first time, and,

On motion of Councilor Carrington, passed its second reading by sections, and,

On motion of Councilor Cannon, passed its third reading by its title amended, and was sent to the House for concurrence in the amendments.

Councilor Carrington, chairman of the committee on Judiciary, to whom was referred [H. F. No. 19.] "An act providing for collecting a certain kind of debts," reported the same back, which was read and,

On motion of Councilor Young, was not concurred in, and the House notified accordingly.

On motion of Councilor Hyde, the Beaver charter was returned to the House not concurred in.

House resolution in regard to printing, was taken up and read, and,

On motion of Councilor Young, was not concurred in.

Moved, that we tender unto the Hon. George A. Smith, President of this Council, our thanks, for the thoroughly efficient, courteous and kind manner in which he has presided over this body, and the gentlemanly demeanor exhibited by him in all his intercourse with the members and officers thereof.

GEO. Q. CANNON.

Seconded and carried.

Moved, that we are much gratified and pleased with the efficient, attentive and respectful manner in which our Chief Secretary, Mr. Patrick Lynch, and the Assistant Secretary, Mr. Saml. Pitchforth, have discharged the duties of their positions in this Council.

E. T. BENSON.

Seconded and carried.

The following was received and read:

EXECUTIVE OFFICE,
January 19th, 1866. }

HONORABLE GEO. A. SMITH.

I have signed and deposited in the office of the Secretary of the Territory.

A memorial to Congress for a donation of town sites in aid of a Common School Fund.

Also a memorial to Congress for appropriations for roads.

Also a memorial to the Postmaster-General for increased mail facilities.

Yours Respectfully,

CHARLES DURKEE, Governor.

The following was received:

The House have non-concurred in the passage of "An act providing for fencing on certain conditions," which is herewith returned.

Your amendments to resolution to cancel account against Alexander McRae, has been concurred in.

Your amendments to [H. F. No. 37.] "An act prescribing the term of certain officers," has been concurred in.

JOHN TAYLOR, Speaker.

The following was received and read:

The House of Representatives have passed Territorial Appropriation Bill, which is sent for your action.

Very respectfully,

JOHN TAYLOR, Speaker.

I move that the thanks of the Assembly be given to the Joint Committee on Revision, for the efficient manner in which they have performed the onerous duties devolved upon them.

JOSEPH A. YOUNG.

Seconded and carried.

The Territorial Appropriation Bill, as amended by the House, was read, and further amended, and was sent to the House for concurrence in the amendments.

The following was received and read:

The House of Representatives have concurred in all your amendments to the Territorial Appropriation Bill, except to the Auditor of Public Accounts and Territorial Treasurer, which are continued at \$400,60 each. Do you concur in these two?

Very Respectfully,

JOHN TAYLOR, Speaker.

Councilor Hyde moved, that a committee of conference, to act with a like committee from the House, be appointed, to confer on [C. F. No. 31.] "An act providing for Fencing, under certain conditions."

Councilors Hyde and E. Snow were appointed said committee.

The Territorial Appropriation Bill was again taken up, as further amended by the House, which was read, and,

On motion of Councilor Young, the amendments were concurred in, and the House notified accordingly.

A Resolution to print and distribute the digest of Laws, and the Laws and Journals of the Fifteenth Annual Session of the Legislative Assembly, was taken up on its first reading and changed to [C. F. No. 32.] "An act to provide for printing and distributing the digest of Laws, and the Laws and Journals of the Fifteenth Annual Session of the Legislative Assembly, and,

On motion of Councilor Young, was read the second time, and,

On motion of Councilor Richards, was read the third time by its title and so passed, and was sent to the House for concurrence.

The following was received and read:

The House of Representatives wish to meet your honorable body in Joint Session, at your earliest convenience.

Very Respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Carrington, the Council complied with the request of the House, to meet with them in Joint Session, and the House notified accordingly.

[C. F. No. 32.] "An act to provide for printing and distributing the digest of Laws, and the Laws and Journals of the Fifteenth Annual Session of the Legislative Assembly," was returned from the House amended, was read, and,

On motion of Councilor Cannon, the amendments were concurred in, and the House notified accordingly.

I move, the House concurring, that Patrich Lynch, Secretary of the Council, be appointed to assist the Hon. Amos Reed, Secretary of the Territory, in preparing for Public Printing, the laws ordered to be printed by him, and to render such assistance in making the marginal notes and index, and in proof reading, as the Hon. Secretary Reed may require.

ALBERT CARRINGTON.

Seconded and carried, and sent to the House for concurrence.

A message from the House was received, announcing an amendment to the above motion, by adding Hon. A. P. Rockwood, of the House, to that of Mr. Patrich Lynch, to assist Secretary Reed in arranging the laws, etc.

On motion of Councilor Young, the Council concurred in the House amendment to said motion.

The Assembly went into Joint Session.

[See Joint Session Minutes.]

Council resumed its session.

Councilor Harrington presented, the following joint resolution: Resolved by the Legislative Assembly of the Territory of Utah, that His Excellency Governor Charles Durkee, is justly entitled to our thanks for his gentlemanly and courteous bearing towards this Assembly, and for his urbanity and kindness manifested to the people of Utah generally.

Seconded and carried, and sent to the House for concurrence.

A communication was received from the House, announcing their concurrence in said resolution.

Councilor E. Snow presented, the following joint resolution: Resolved by the Council and House of Representatives of the Territory of Utah, that the thanks of this Assembly are hereby tendered to the Honorable Amos Reed, Secretary of the Territory, for his courteous bearing, and the liberal spirit exhibited in the discharge of his official duties.

Seconded and carried, and sent to the House for concurrence.

A communication from the House was received, announcing said resolution concurred in.

The following was received and read:

EXECUTIVE OFFICE,
January 19th, 1866. }

HON. GEORGE A. SMITH,

PRESIDENT OF THE COUNCIL:

I have signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act to provide for printing and distributing the digest of Laws, and the Laws and Journals of the Fifteenth Annual Session of the Legislative Assembly. Also an act entitled "Territorial Appropriation Bill."

Yours, Respectfully,

CHARLES DURKEE, Governor.

Councilors Benson and L. Snow, were appointed a committee to notify the House that the table of the Council was clear of business.

Councilors Benson and L. Snow reported that they had visited the House, and informed them that the table of the Council was clear of business, and were informed that the table of the House was also clear.

Councilors Benson and L. Snow were appointed a committee, on the part of the Council, to wait on his Excellency the Governor, to enquire if he had any further communication to make to the Council. Said committee returned and reported that his Excellency had no further communications to make to the Assembly.

On motion of Councilor Richards, the Council adjourned till Dec. 19th, 1866.

Benediction by the Chaplain.

JOINT SESSION.

January 19, 1866.

The Assembly met in Joint Session, according to agreement.
The President of the Council presiding.

Quorums of both Houses present.

On motion of Councilor Young, Wm. Clayton was elected a Notary Public for G. S. L. county.

On motion of Mr. Cluff, Thomas Bullock was elected a Notary Public for Summit county.

On motion of Mr. Rowberry, E. P. Johnson was elected a Notary Public for Tooele county.

On motion of Mr. Rich, Morris Phelps was elected a Notary Public for Richland county.

On motion of Mr. Hess, Arthur Stayner was elected a Notary Public for Davis county.

On motion of Mr. Cox, James H. Rollins was elected a Notary Public for Beaver county.

On motion of Mr. Peacock, John Readhead was elected a Notary Public for Sevier county.

On motion of Mr. Van Cott, Wm. Price was elected a Notary Public for Utah county.

On motion of Mr. Evans, John Carson was elected a Notary Public for Utah county.

On motion of Mr. Peacock, C. A. Madsen was elected a Notary Public for Sanpete county.

On motion of Mr. Snow, David Candland was elected a Notary Public for Sanpete county.

On motion of Councilor Benson, Alex. Stalker was elected a Notary Public for Cache county.

Joint Session dissolved.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 19, 1866, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Joseph F. Smith presented, the annual report of the Superintendent of Common Schools, with accompanying statistical table, which was read, and,

On motion of Mr. Manghan, six hundred copies thereof were or-

dered to be printed in pamphlet form, together with the school code for the use of the Assembly, to be distributed by said Superintendent. To THE HONORABLE THE

LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH:

GENTLEMEN:—The Superintendent of Common Schools takes much pleasure in presenting his annual report for the year 1865, with accompanying table of statistics, which is more full and complete than any hitherto presented.

Owing to the lateness of the presentation of the report of previous years, considerable effort was made during the past season, in which the county superintendents were requested to participate, that the statistics might be collected and ready to report during the first week of the present session; but as the poet hath it:

"The best laid schemes of men and mice

Gang aft aglee."

so has it been in this case; the result, however, is probably for the best, as a report at the date intended, would have omitted the important counties of Davis, Cache and Washington.

It must be gratifying to the friends of educational interests to note the laudable and increasing efforts made by the inhabitants of this Territory amid circumstances so peculiar and unpropitious. In the 148 school districts reported there is a school population of 16,535, of which there are 8,959, or 54 per cent. found enrolled in school schedules, the average attendance being 6,024, or thirty-six per cent. of actual school attendance: schools are kept open throughout the Territory on an average six and a half months in the year.

Returns in relation to the amount paid to teachers and the amount of building funds raised are too irregularly reported to be tabulated. Tuition fees range from four to six dollars per quarter for teaching the common branches. Many school-houses are being erected from year to year, and the amounts expended should be returned as the form prescribed in the school code requires the embodiment of the same in the general statistical table. School-houses have been (with but few exceptions) built by voluntary contribution. There being no school fund available, fees for tuition are paid by the parents or guardians of the pupils, except in a few districts, where, in conformity with the provisions of last year's school bill, a tax was assessed for that purpose.

The efforts made to introduce a uniformity of text books in our schools have met with a hearty co-operation from teachers generally. Appended to this report is a list of the books recommended.

Mr. H. T. Miller, Sevier county Superintendent, writes: Were it in my power I should propose that there be a city lot fenced—a respectable house built thereon—in every settlement, also ten acres of good land in the field, set apart for the use of a school-teacher." This proposition is good and feasible, especially in newly settled counties, and the consideration thereof is respectfully referred to Trustees and County Superintendents.

The greatest lack from which our educational interests now suffer, is that of qualified teachers. In his report for 1863 the Superintendent recommended that an appropriation be made from the Territorial funds to defray the expenses of tuition of a limited number (to be divided equitably among the counties) of those pupils, who had mastered the elementary branches of education and who were willing to declare in writing that it is their intention, in further qualifying themselves to become teachers in this Territory. It was further recommended that an annual appropriation be made to any city or cities which shall maintain a free school or schools wherein the children of the poor may be educated gratuitously, and, when necessary, furnished with school books. Said Territorial Appropriation not to exceed one-third the expenses of maintaining such school or schools, leaving the counties and cities to furnish respectively the other two-thirds; provided, that such schools are maintained on economical principles, and that the school teachers hired to teach therein, be required to report such schools in conformity with law.

Any measures that the Assembly may devise, which would be an incentive to our youth to qualify themselves to become teachers would be a step that would greatly enhance the cause of education.

While it would not only be untimely, but inappropriate, to attempt a homily on the rearing of youth, it may not be amiss for the Superintendent to suggest the propriety of parents and guardians instilling into the minds of the youth the necessity of qualifying themselves for usefulness, by studying the mathematics, book-keeping, architecture, practical surveying, the living languages, and those legal forms which are necessary in the transaction of business with the various States of the Union, as well as the nations of the earth.

The minds of the rising generation should be directed in these channels of usefulness for the public weal requires it, and if the generally received axiom be true, that "as the twig is bent, so is the tree inclined," it only needs the early attention and influence of parents and guardians to secure this desirable result.

The "good, hard sense," of the "indwellers of these mountains," coupled with the peculiar circumstances in which they have been

placed, has enabled them to discard the false philosophy of the old schools, which has made the educational path one of the most difficult and forbidding that mortals would voluntarily consent to tread, transforming in many cases, the beautiful and symmetrical forms of youth into pale, attenuated shadows, incapacitated for endurance and usefulness, and what is still worse, inducing an intellectual costiveness, which seldom, if ever, admits of a radical cure. While this stand-point occupied by us produces pleasant reflections, let us beware of getting too far on the opposite side of the question, however safe it may appear to be. The study of book-keeping, the higher mathematics, the grammar of our language, though in themselves, to many pupils, presenting little attraction, are so essential, in most of the pursuits of life, that the man of business who lacks a knowledge of these branches, readily perceives the vantage ground occupied by their possessor, and often is made to feel a humiliation which, though deeply to be regretted, seems to the advanced in life, irreparable.

The County Superintendent for Salt Lake, has, with the consent of the County Court, arranged to take a census of the names and ages of the school population in the county, *i.e.*, the boys and girls between four and sixteen years of age. It is desirable that such an arrangement be made simultaneously in all the counties, and that this Superintendency be authorized to print and issue uniform blanks to aid the census marshals of the respective counties to accomplish the work.

A good and substantial record has been prepared during the past year, in which is being recorded the reports, statistical tables and proceedings of this Superintendency since the inauguration of the present school system.

There was appropriated at last session one hundred dollars to procure a record for each County Superintendent, which, under advisement, was forwarded east by the hands of Mr. A. B. Wright, who, like many Salt Lake merchants, unfortunately freighted his goods with the Butterfield Company, and it is supposed that the records are in "a high state of preservation," somewhere in the Wasatch range of mountains, or between these and Fort Bridger. It is anticipated that they will be distributed early next Spring.

Respectfully submitted by

ROBERT L. CAMPBELL,

Superintendent of Common Schools.

SCHOOL STATISTICS, UTAH TERRITORY, 1865.

NAMES OF COUNTIES	No. of Districts in county.		No. of districts reported.		No. of schools.		Grade of schools.		No. of male teachers.		No. of female teachers.		No. of boys in county between 14 and 16 years.		No. of girls in county between 4 and 16 years.		Total children between 4 and 16 years.		No. of male scholars enrolled.		No. of female scholars enrolled.		Total enrolled.		Percentage of names enrolled.		Average daily attendance.		Per centage of school population actually attending school.		Amount paid to male teachers.		Am't. paid to female teachers.		Total paid to teachers.		No. of months schools have been taught during the year.		Present condition of school buildings.		Amount of building funds raised.		Amount of taxes appropriated to the use of schools.		REMARKS.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.

A message was received from the Council, announcing their amendment and passage of [H. F. No. 23.] "An act providing for the establishment and support of Common Schools."

Said bill, [H. F. No. 23.] "An act providing for the establishment and support of Common Schools," was read as amended, and,

On motion of Mr. Rowberry, said amendments were concurred in.

A message was received from the Council and read, announcing their passage of [C. F. No. 23.] "An act to more clearly authorize the Surveyor-General to give certificates of his surveys, and to legalize the certificates he has given."

Said bill, [C. F. No. 23.] "An act to more clearly authorize the Surveyor-General to give certificates of his surveys, and to legalize the certificates he has given," was read the first time.

Said bill was read the second time and amended.

Said bill was read the third time.

The title was read and approved.

The following was received and read:

The Council does not concur in your [H. F. No. 24.] an act to amend an act entitled "An act pertaining to damage done by animals, and providing for fencing."

Very respectfully,

Geo. A. Smith,

President of the Council.

The Council concurs in House resolution No. 35, concerning appropriation for Weber Canyon Road.

G. A. Smith.

The following was received and read:

Your committee on Roads, Bridges, etc., to whom was referred an act establishing a Territorial road from Great Salt Lake City to Wanship, Summit county, beg leave to report the bill back with amendments in section 3, and recommended the passage of the same.

W. S. Snow, Chairman.

Said bill was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title.

The title of the same was read as amended and approved.

The following was received and read:

Your committee on Roads, Bridges, Ferries and Canyons, to whom was referred "An act to amend an act to incorporate the Ogden Canyon Road Company," beg leave to recommend, to strike out

the second section, as we think the rights contemplated in said section will be awarded by said Company.

W. S. SNOW, Chairman.

Said bill was read and laid on the table to come up in its order.

On motion of Mr. Rowberry, a message was sent to the Council, asking for information pertaining to their action on [H. F. No. 13.] "An act in relation to liens of Mechanics and others."

On motion, the House adjourned till 2 p.m.

2 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

The following was received and read:

The Council has passed a substitute for [H. F. No. 23.] "An act in relation to Summit Creek Canyon, Utah County," which is hereby sent for your action thereon.

Very respectfully,

GEO. A. SMITH, President of the Council.

Said substitute bill, [C. F. No. 26.] "An act in relation to Summit Creek Canyon, Utah County," was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title and so passed.

The title was read and approved.

The following was received and read:

The Council has adopted the enclosed memorial to the Postmaster-General in relation to mail routes. Do you concur? The Council has adopted resolution convening the sixteenth annual session of the Legislative Assembly. Do you concur?

Very Respectfully,

GEO. A. SMITH, President of the Council.

Said memorial to the Postmaster-General in relation to mail routes was read, and an additional route inserted, and,

On motion of Mr. Peacock, was concurred in.

Said resolution, convening the sixteenth annual session of the Legislative Assembly, was read, and,

On motion of Mr. Rich, the House concurred in the adoption thereof.

The following was received and read:

The Council has amended (H. F. No. 26.) "An act changing the boundaries of Manti City, Sanpete county," and so passed the bill. Do you concur?

Very Respectfully,

GEO. A. SMITH, President of the Council.

Said bill, (H. F. No. 26.) "An act changing the boundaries of Manti City, Sanpete county," was read as amended, and,

On motion of Mr. Peacock, said amendments were concurred in.

The following was received and read:

The Council does not concur in your amendment to (C. F. No. 23.) in relation to Surveyor-General giving certificate of his surveys, etc., and respectfully ask your reconsideration of the bill.

Respectfully,

GEO. A. SMITH, President of the Council.

Said bill, (C. F. 23.) was reconsidered and the amendments thereto were stricken out.

The following was received and read:

(H. F. 13.) "An act in relation to liens of Mechanics and others," is still in the hands of the committee who are giving the bill due consideration.

Very Respectfully,

GEO. A. SMITH,

President of the Council.

The Council concurs in (H. F. No. 36.)

G. A. S.

Mr. S. S. Smith presented, a resolution in relation to printing the laws of the present session, which was read, adopted and forwarded to the Council for concurrence.

(H. F. No. 21.) "An act to amend an act to incorporate the Ogden Canyon Road Company," was taken up and read with additional section added by the Council and passed.

On motion of Mr. Taylor, said additional section was withdrawn, and the bill sent to the Council for their concurrence in the withdrawal thereof.

The following was received and read:

The Council has this day passed the enclosed resolutions pertaining to the Penitentiary, which is submitted for your action thereon. Do you concur?

Very Respectfully,

GEO. A. SMITH, President of the Council.

Said resolution, pertaining to the Penitentiary, was read and concurred in.

Mr. Farr presented, "An act prescribing the term of certain officers, and stating where bonds shall be filed," which was read the first time.

Said bill was read the second time and amended.

Said bill was read the third time by its title, and so passed.

The title was read and amended, and so passed.

The following was received and read:

The Council does not concur in [H. F. No. 13.] "An act in relation to Liens," &c., but have passed the accompanying substitute, which is forwarded for your action thereon.

Very respectfully,

GEO. A. SMITH,

President of the Council.

Said substitute bill was read, and, on motion, concurred in.

On motion of Mr. Rich, the House adjourned till 6:30 p. m.

6:30 p. m.

House met pursuant to adjournment.

Roll called: Quorum present.

The following was received and read:

The Council has concurred in the withdrawal, by the presenter, of Sec. 2, of "An act to amend an act to incorporate the Ogden Canyon Road Company."

The Council has also concurred in your amendment to the Council Memorial to the Postmaster-General, and have further amended the same. Do you concur in the amendments and in the enclosed memorials—which have been adopted by the Council.

Very respectfully,

GEO. A. SMITH,

President of the Council.

Memorial to Postmaster-General, was read as amended, and the amendments thereto concurred in.

Memorial to Congress to repeal "An act entitled an act to punish and prevent the practice of polygamy in the Territories of the United States, and other places," was read, and,

On motion of Mr. Rich, the House concurred in the passage thereof.

A Memorial to Congress for donation of town sites in aid of a common school fund was read and concurred in.

Memorial to Congress for an appropriation for Roads was read and concurred in.

The following messages were received and read:

EXECUTIVE OFFICE, Utah,

January 19th, 1866.

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The bill entitled "An act to incorporate the city of Wellsville,"

and a bill entitled "An act authorizing the Attorney General and the District and Prosecuting Attorneys to appoint deputies," also a bill entitled "An act amending an act, entitled an act to incorporate the Weber Kanyon Road Company," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Respectfully,

CHARLES DURKEE, Governor.

EXECUTIVE OFFICE, Utah,)

January 17th, 1866.)

HON. JOHN TAYLOR, SPEAKER

OF THE HOUSE OF REPRESENTATIVES:

I have this day approved, signed and deposited in the office of the Secretary of the Territory, the following bills to wit: "An act regulating Estray Pounds and for other purposes." "An act to incorporate the Desert City Library Association." "An act to incorporate Logan City."

Respectfully,

CHARLES DURKEE, Governor.

I have also approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act to amend an act to incorporate Irrigation Companies."

Respectfully,

CHARLES DURKEE, Governor.

A message was received from the Council and read, accompanying the Territorial Appropriation Bill with amendments and additions, and announcing that that portion thereof held under advisement by the House, had not been considered.

Said Territorial Appropriation Bill was read the second time and amended.

Said bill was read the third time and sent to the Council for concurrence.

The following was received and read:

[H. F. No. 37.] "An act prescribing the term of certain officers, etc., and designating where their bonds shall be filed," has been amended and passed as amended. Do you concur? The Council does not concur in [H. F. No. 19.]

Yours Respectfully,

GEO. A. SMITH,

President of Council.

Said bill, [H. F. No. 37.] was read as amended, and the amendments concurred in.

The following was received and read:

The Council has passed [C. F. No. 31.] "An act providing for fencing on certain conditions," and is hereby sent to your honorable body for concurrence. Also the Council has amended [H. F. No. 16.] "Resolution to cancel account against Alexander McRae." Do you concur in the amendments.

Very Respectfully,

GEO. A. SMITH, President of the Council.

Said bill, (C. F. No. 31.) "An act providing for fencing on certain conditions," was read, and the House non-concurred in the passage thereof.

Said Resolution to cancel the account against Alexander McRae, was read and concurred in.

A message was read from the Council, announcing their non-concurrence in the passage of the Beaver City Charter.

The following was received and read:

EXECUTIVE OFFICE,
Jan. 19, 1866. }

HONORABLE JOHN TAYLOR, SPEAKER

OF THE HOUSE OF REPRESENTATIVES:

I have signed a bill entitled "An act establishing a Territorial Road from Great Salt Lake City to Wanship, Summit county," also a bill entitled "An act providing for the establishment and support of Common Schools," and have deposited the same in the office of the Secretary of the Territory.

Respectfully, Yours,

CHARLES DURKEE, Governor.

On motion of Mr. Rockwood, a letter was sent to the Council, announcing that the House were ready to meet in Joint Session, at their earliest convenience.

The following was received and read:

EXECUTIVE OFFICE,
Jan. 19, 1866. }

HON. JOHN TAYLOR, SPEAKER

OF THE HOUSE REPRESENTATIVES:

I have signed a bill, entitled "An act prescribing the term of certain officers, and designating where their bonds shall be filed," also a resolution to cancel the account against Alexander McRae, and deposited the same in the office of the Secretary of the Territory.

Respectfully Yours,

CHARLES DURKEE, Governor.

Mr. Pace presented the following:

COMPLIMENTARY RESOLUTION.—Be it resolved by the House of Representatives of the Territory of Utah, that the thanks of the House is hereby tendered to the Honorable Speaker, for the candid, courteous and impartial manner in which he has discharged the duties of his office during the present session.

Seconded and carried.

The Speaker responded courteously.

The following was received and read:

EXECUTIVE OFFICE,
Jan. 19, 1866. }

HON. JOHN TAYLOR, SPEAKER

OF THE HOUSE OF REPRESENTATIVES:

I have signed the bill, entitled "An act to incorporate the Logan Canyon Road Company," and deposited the same in the office of the Secretary of the Territory.

Respectfully Yours,

CHARLES DURKEE, Governor.

Mr. Peacock moved a vote of thanks to the officers of the House of Representatives, for their faithfulness, kind, obliging and impartial manner in which they have discharged their duties.

Seconded and carried.

The following was received and read:

The Council concurs in the Territorial Appropriation Bill.

Yours Respectfully,

GEO. A. SMITH, President of the Council.

On motion of Mr. Rich, the House concurred in the passage thereof, with an amendment, that the salaries of the Auditor and Treasurer be \$400 each, as in the original bill.

A message was received from the Council, announcing the appointment, on their part, of a committee of conference on [H. F. No 31.]

On motion of Mr. Rockwood, the Speaker appointed Messrs. Callister, Maughan, Van Cott and Farr, said committee of conference on the part of the House.

The following was received and read:

EXECUTIVE OFFICE,
Jan. 19, 1866. }

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES.

I have signed and deposited in the office of the Secretary of the

Territory, a bill entitled "An act to amend an act incorporating the Ogden Kanyon Road Company."

Very respectfully,

CHARLES DURKEE, Goernor.

The following was received and read:

The Council has passed [C. F. No. 32.] "An act to provide for printing and distributing the digest of laws and the laws and journals of the fifteenth annual session of the Legislative Assembly."

Yours respectfully,

GEO. A. SMITH, President of the Council.

Said bill, [C. F. No. 32.] "An act to provide for printing and distributing the digest of laws, and the laws and journals of the Fifteenth Annual session of the Legislative Assembly," was read the first time,

Said bill was read the second time.

Said bill was read the third time by the title and so passed.

A message from the Council was received and read, with the following motion:

I move, the House concurring, that Patrick Lynch, Secretary of the Council, be appointed to assist the Hon. Amos Read, Secretary of the Territory, in preparing, for public printing, the laws ordered to be printed by him, and to render such assistance in making the marginal notes and index, and in proof reading, as the Hon. Secretary Reed may require.

ALBERT CARRINGTON.

On motion of Mr. Jennings, Hon. A. P. Rockwood was associated with P. Lynch, to assist the Secretary of the Territory in preparing laws for printer, etc.

Mr. Callister, Chairman of the Committee of Conference appointed to consider the bill providing for division fence reported that on account of the lateness of the hour they did not deem it advisable to take any action on said bill.

On motion, the report was accepted, and the committee discharged from the further consideration of said bill.

The following was received and read:

EXECUTIVE OFFICE, Utah,
Jan. 19, 1866. }

HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES.

The bill entitled "An act changing the boundaries of Manti city,